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House Journal  
Volume I

**HOUSE JOURNAL**  
**OF THE**  
**Forty-Fifth Legislature**  
**OF THE**  
**STATE OF MONTANA**  
  
**VOLUME I**

**Held at Helena, the Seat of Government of Said State,  
Commencing in Regular Session January 3, 1977, and  
Ending April 19, 1977.**

**JOHN B. DRISCOLL**  
Speaker of the House

Martha McGee  
Chief Clerk of the House

Linda Barrett  
Journal Clerk

**PUBLISHED BY**  
**THE MONTANA LEGISLATIVE COUNCIL**





**HOUSE JOURNAL**

**OF THE**

**Forty-Fifth Legislature**

**OF THE**

**STATE OF MONTANA**

Commencing in Regular Session  
January 3, 1977, and Ending April 19, 1977



# OFFICERS AND MEMBERS OF THE MONTANA HOUSE OF REPRESENTATIVES 1977

100 members

57 Democrats

43 Republicans

## OFFICERS

Speaker.....	John B. Driscoll
Speaker Pro Tempore.....	Joe Brand
Majority Floor Leader.....	Peter M. (Mike) Meloy
Majority Whip.....	Dorothy Bradley
Minority Floor Leader.....	Robert L. Marks
Minority Whip.....	Jack K. Moore
Assistant Minority Floor Leader.....	Harrison G. Fagg
Chief Clerk.....	Martha B. McGee

## MEMBERS

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	POLITICS
Aageson, David	Gildford 59525	9	Hill	Republican
Baeth, Russell	P. O. Box 137, Martin City 59926	15	Flathead	Democrat
Baeth, William R. (Bill)	805 Minnesota Avenue, Libby 59923	21	Lincoln	Democrat
Bardanouve, Francis	RR, Harlem 59526	6	Blaine	Democrat
Barrett, Fred O.	259 Maple, Lewistown 59457	48	Fergus	Republican
Bengtson, Esther G.	Shepherd 59079	59	Yellowstone	Democrat
Bertelsen, Verner L.	Ovando 59854	27	Powell	Republican
Bradley, Dorothy M.	427 N. Tracy, Bozeman 59715	77	Gallatin	Democrat
Brand, Joe	800 Montana Ave., Deer Lodge 59722	28	Powell	Democrat
Burnett, James H. "Jim"	Luther 59051	71	Carbon	Republican
Colburn, Gary L.	117 South 35th, Billings 59101	61	Yellowstone	Democrat
Conroy, Thomas R.	607 W. 3rd. St., Hardin 59034	58	Big Horn	Democrat
Cooney, Mike	2929 Burke Lane, Butte 59701	83	Silver Bow	Democrat
Courtney, Jim	2003 Argyle, Butte 59701	86	Silver Bow	Democrat
Cox, Edith E.	316 North Fifth, Livingston 59047	74	Park	Republican
Curtiss, Aubyn A.	P. O. Box 102, Fortine 59918	20	Lincoln	Republican
Dassinger, E. N.	Box 753, Forsyth 59327	50	Rosebud	Democrat
Davis, Dale H.	P. O. Box 645, Belgrade 59714	79	Gallatin	Republican
Day, William M. (Willie)	Bloomfield Rt., Glendive 59330	54	Dawson	Democrat
Driscoll, John Brian	116 North Ninth St., Hamilton 59840	91	Ravalli	Democrat
Dussault, Ann Mary	775 Monroe, Missoula 59801	95	Missoula	Democrat
Ellerd, Robert A.	2206 Bridger Drive, Bozeman 59715	75	Gallatin	Republican
Ellis, Howard L.	Rte. #4, Missoula 59801	93	Missoula	Republican
Ellison, Orval S.	West Boulder Rt., McLeod 59052	73	Park	Republican
Ernst, Gene N.	Box 39, Stanford 59479	47	Judith Basin	Republican
Estenson, JoEllen	608 North Rodney, Helena 59601	32	Lewis & Clark	Democrat
Eudaily, Ralph S.	234 Kensington Ave., Missoula 59801	100	Missoula	Republican
Fabrega, W. Jay	2700 Bonita Drive, Great Falls 59404	44	Cascade	Republican
Fagg, Harrison G.	1414 Mystic Drive, Billings 59102	63	Yellowstone	Republican
Feda, G. C. "Jerry"	206 Second Avenue N., Glasgow 59230	4	Valley	Republican
Frates, Eugene F.	1601 Bitterroot Drive, Billings 59101	60	Yellowstone	Democrat
Gerke, Harold E.	202 Mtn. View Blvd., Billings 59101	62	Yellowstone	Democrat
Gilligan, Peter J., Jr.	3330 13th Ave. S., Great Falls 59405	38	Cascade	Democrat
Gould, R. Budd	2121 35th Avenue, Missoula 59801	98	Missoula	Republican
Gunderson, Edna A.	612 Ninth St., Havre 59501	8	Hill	Democrat
Gunderson, Jack	RR #2, Power 59468	35	Cascade	Democrat
Halvorson, Ora J. (Mrs. Stan)	244 Woodland Ave., Kalispell 59901	16	Flathead	Democrat
Hand, William M.	P. O. Box 1298, Dillon 59725	82	Beaverhead	Democrat
Hansen, Harry	P. O. Box 80, Frenchtown 59834	24	Missoula	Democrat
Harper, Hal	221 So. Cooke, Helena 59601	30	Lewis & Clark	Democrat
Harrington, Dan W.	1201 N. Excelsior, Butte 59701	88	Silver Bow	Democrat



NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	POLITICS
Hirsch, Les J.	Broadus Stage, Miles City 59301	52	Custer	Democrat
Holmes, Polly	1620 Ave. F, Billings 59102	67	Yellowstone	Democrat
Huennekens, Herb	3216 Rimrock Rd., Billings 59102	68	Yellowstone	Democrat
Hurwitz, Burt	Box 304, White Sulphur Springs 59645	45	Meagher	Republican
Jensen, William Ray	Rt. 1, P. O. Box 73, St. Ignatius 59865	25	Lake	Republican
Johnston, George R.	504 3rd St. S.E., Cut Bank 59427	13	Glacier	Democrat
Kanduch, Joe F., Sr.	Barker Creek, Anaconda 59711	89	Deer Lodge	Democrat
Kennerly, Leo M., Jr.	P. O. Box 523, Browning 59417	14	Glacier	Democrat
Kenny, John F.	2505 Third Ave. N., Great Falls 59401	40	Cascade	Democrat
Kessler, Gerald R.	1627 Wyoming Ave., Billings 59102	66	Yellowstone	Democrat
Keyser, Kerry R.	Box 126, Ennis 59729	81	Madison	Republican
Kimble, Gary Niles	640 S. 6th E., Missoula 59801	94	Missoula	Democrat
Kropp, Paul K.	Box 520, Malta 59538	5	Phillips	Republican
Kvaalen, Oscar S.	Lambert 59243	53	Richland	Republican
Lien, Edward	SR 231, Box A33, Wolf Point 59201	49	McCone	Democrat
Lory, Earl C.	Rte. 5, Miller Crk. Rd., Missoula 59801	99	Missoula	Republican
Lund, Art	Box 806, Scooby 59263	2	Daniels	Republican
Lynch, John "J.D."	532 W. Mercury, Butte 59701	87	Silver Bow	Democrat
McLane, V. Jean	Box 186, Laurel 59044	72	Yellowstone	Republican
Manuel, Rex	R. R. Box #42, Fairfield 59436	11	Teton	Democrat
Marks, Robert L. (Bob)	Box 116, Clancy 59634	80	Jefferson	Republican
Meloy, Peter M. (Mike)	805 S. Rodney St., Helena 59601	29	Lewis & Clark	Democrat
Menahan, William (Red)	1304 W. Fifth, Anaconda 59711	90	Deer Lodge	Democrat
Metcalfe, Jerry	201 Vawter St., Helena 59601	31	Lewis & Clark	Democrat
Meyer, Darryl	5306 4th Ave. S., Great Falls 59405	42	Cascade	Republican
Moore, Jack K.	1200 32nd St. S #85, Great Falls 59405	41	Cascade	Republican
Mular, James T.	P. O. Box 3084, Butte 59701	85	Silver Bow	Democrat
Nathe, Dennis G.	Redstone 59257	1	Sheridan	Republican
O'Connell, Helen G.	703 4th Ave. SW, Great Falls 59404	34	Cascade	Democrat
O'Keefe, Warren	1409 6th Ave. S., Great Falls 59405	43	Cascade	Republican
Palmer, Bob	711 W. Spruce St., Missoula 59801	96	Missoula	Democrat
Pistoria, Paul G.	2421 Central Ave., Great Falls 59401	39	Cascade	Democrat
Porter, Howard C.	2412 Ash St., Billings 59101	65	Yellowstone	Republican
Quilici, Joe	3040 Kossuth, Butte 59701	84	Silver Bow	Democrat
Ramirez, Jack	4109 Rimrock Road, Billings 59102	64	Yellowstone	Republican
Robbins, Hershel M.	915 1st St. E., Roundup 59072	46	Musselshell	Democrat
Roth, Audrey	Box 489, Big Sandy 59520	10	Chouteau	Republican
Ryan, Patrick L.	3104 Second Ave. S., Great Falls 59405	37	Cascade	Democrat
Scully, John P.	P. O. Box 1172, Bozeman 59715	76	Gallatin	Democrat
Seifert, Carl A.	Rte. 1, Box 45-B, Polson 59860	26	Lake	Republican
Severson, Elmer D.	Rt. 1, Box 28, Stevensville 59870	92	Ravalli	Republican
Shelden, Arthur H.	Rt. 1, Box 1650, Libby 59923	22	Lincoln	Democrat
Sivertsen, Robert	P. O. Box 531, Havre 59501	7	Hill	Republican
Smith, Carl M.	Olive 59343	57	Powder River	Republican
South, Carroll V.	506 Miss. Ave., Miles City 59301	51	Custer	Democrat
Staigmiller, John B.	P. O. Box 422, Cascade 59421	33	Cascade	Democrat
Stobie, Chris H.	Eddy Route 2, Thompson Falls 59873	23	Sanders	Republican
Teague, Wes	611 1st St. W., Billings 59101	69	Yellowstone	Democrat
Tower, Lee	904 Seventh Ave. E., Kalispell 59901	18	Flathead	Republican
Tropila, Joe	209—2nd St., N.W., Great Falls 59404	36	Cascade	Democrat
Turner, Clyde A.	920 Kalispell Ave., Whitefish 59937	19	Flathead	Republican
Uhde, Jack Brian	705 3rd Ave. W., Kalispell 59901	17	Flathead	Democrat
Underdal, Melvin	Box 605, Shelby 59474	12	Toole	Republican
Vincent, John	908 South Tracy, Bozeman 59715	78	Gallatin	Democrat
Vinger, Orren C.	517 Johnson, Wolf Point 59201	3	Roosevelt	Republican
Waldron, Steve	2344 W. Kent, Missoula 59801	97	Missoula	Democrat
Williams, J. Melvin	P. O. Box 245, Laurel 59044	70	Yellowstone	Democrat
Wood, L. E. (Gene)	221 N. River Ave., Glendive 59330	55	Dawson	Republican
Wyrick, Harold A.	Route 3, Baker 59313	56	Fallon	Republican

# HOUSE STANDING COMMITTEES

## **Agriculture, Livestock and Irrigation**

Day, William, Chairman (D)  
Bengtson, Esther, Vice-Chairman (D)  
Brand, Joe (D)  
Conroy, Thomas (D)  
Curtiss, Aubyn (R)  
Dassinger, E. N. (D)  
Davis, Dale (R)  
Ellerd, Robert (R)  
Gunderson, Jack (D)  
Johnston, George (D)  
McLane, V. Jean (R)  
Severson, Elmer (R)  
Smith, Carl (R)  
Staigmilller, John (D)

## **Appropriations**

Bardanouve, Francis, Chairman (D)  
Gerke, Harold, Vice-Chairman (D)  
Aageson, David (R)  
Bradley, Dorothy (D)  
Ellis, Howard (R)  
Estenson, Jo Ellen (D)  
Gunderson, Jack (D)  
Halvorson, Ora (D)  
Hansen, Harry (D)  
Kvaalen, Oscar (R)  
Lund, Art (R)  
Lynch, J. D. (D)  
Manuel, Rex (D)  
Marks, Robert (R)  
Moore, Jack (R)  
South, Carroll (D)  
Wood, L. E. (R)

## **Appropriations Subcommittee on Education**

South, Carroll, Chairman (D)  
Halvorson, Ora (D)  
Kvaalen, Oscar (R)  
Moore, Jack (R)

## **Appropriations Subcommittee on Elected Officials**

Lynch, J. D., Chairman (D)  
Gunderson, Jack (D)  
Wood, L. E. (R)

## **Appropriations Subcommittee on Human Services**

Bradley, Dorothy, Chairperson (D)  
Gunderson, Jack (D)  
Marks, Robert (R)

## **Appropriations Subcommittee on Institutions**

Gerke, Harold, Chairman (D)  
Ellis, Howard (R)  
Hansen, Harry (D)  
Lund, Art (R)

## **Appropriations Subcommittee on Long-Range Building**

South, Carroll, Chairman (D)  
Halvorson, Ora (D)  
Kvaalen, Oscar (R)  
Lund, Art (R)

## **Appropriations Subcommittee on Natural Resources and Business Regulation**

Manuel, Rex, Chairman (D)  
Aageson, David (R)  
Estenson, Jo Ellen (D)

## **Business and Industry**

Vincent, John, Chairman (D)  
Quilici, Joe, Vice-Chairman (D)  
Aageson, David (R)  
Bradley, Dorothy (D)  
Burnett, Jim (R)  
Ellison, Orval (R)  
Fabrega, W. Jay (R)  
Fagg, Harrison (R)  
Harper, Hal (D)  
Harrington, Dan (D)  
Kenny, John (D)  
Metcalf, Jerry (D)  
Nathe, Dennis (R)  
Scully, John (D)  
Shelden, Art (D)  
Tower, Lee (R)  
Tropila, Joe (D)

## **Education**

Dussault, Ann Mary, Chairman (D)  
Gilligan, Peter, Vice-Chairman (D)  
Barrett, Fred (R)  
Courtney, Jim (D)  
Estenson, Jo Ellen (D)  
Eudaily, Ralph (R)  
Gunderson, Jack (D)  
Hand, William (D)  
Kennerly, Leo (D)  
Kessler, Gerald (D)  
Kvaalen, Oscar (R)  
Lory, Earl (R)  
Lund, Art (R)  
Meyer, Darryl (R)  
Uhde, Jack (D)



## **Fish and Game**

Staigmilller, John, Chairman (D)  
Baeth, Russell, Vice-Chairman (D)  
Barrett, Fred (R)  
Conroy, Tom (D)  
Courtney, Jim (D)  
Ellis, Howard (R)  
Ellison, Orval (R)  
Johnston, George (D)  
Manuel, Rex (D)  
Seifert, Carl (R)  
Tropila, Joe (D)

## **Highways and Transportation**

Baeth, William, Chairman (D)  
Kanduch, Joe, Vice-Chairman (D)  
Ernst, Gene (R)  
Frates, Eugene (D)  
Hansen, Harry (D)  
Keyser, Kerry (R)  
Kropp, Paul (R)  
Mular, James (D)  
O'Keefe, Warren (R)  
Pistoria, Paul (D)  
Tropila, Joe (D)  
Underdal, Melvin (R)  
Wood, L. E. (R)

## **Judiciary**

Scully, John, Chairman (D)  
Teague, Wes, Vice-Chairman (D)  
Baeth, William (D)  
Colburn, Gary (D)  
Conroy, Thomas (D)  
Courtney, Jim (D)  
Day, William (D)  
Dussault, Ann Mary (D)  
Eudaily, Ralph (R)  
Hand, William (D)  
Holmes, Polly (D)  
Kennerly, Leo (D)  
Keyser, Kerry (R)  
Lory, Earl (R)  
McLane, V. Jean (R)  
Ramirez, Jack (R)  
Roth, Audrey (R)  
Seifert, Carl (R)

## **Judiciary Subcommittee on Montana Water**

Day, William, Chairman (D)  
Baeth, William (D)  
Bengtson, Esther (D)  
Curtiss, Aubyn (R)  
Dassinger, E. N. (D)  
Dussault, Ann Mary (D)  
Ellison, Orval (R)  
Halvorson, Ora (D)  
Hand, William (D)  
Kimble, Gary (D)  
Lory, Earl (R)  
Mular, James (D)  
Nathe, Dennis (R)  
Ramirez, Jack (R)  
Roth, Audrey, (R)  
Scully, John (D)

## **Labor and Employment Relations**

Kimble, Gary, Chairman (D)  
Williams, J. Melvin, Vice-Chairman (D)  
Baeth, Russell (D)  
Brand, Joe (D)  
Dassinger, E. N. (D)  
Ellerd, Robert (R)  
Kanduch, Joe (D)  
Lynch, J. D. (D)  
Porter, Howard (R)  
Sivertsen, Robert (R)  
Teague, Wes (D)  
Turner, Clyde (R)  
Wyrick, Harold (R)

## **Legislative Administration—Bills and Journal**

Quilici, Joe, Chairman (D)  
Gunderson, Edna, Vice-Chairman (D)  
Kessler, Gerald (D)  
Lory, Earl (R)  
Lund, Art (R)

## **Local Government**

Robbins, Hershel, Chairman (D)  
O'Connell, Helen, Vice-Chairman (D)  
Bertelsen, Verner (R)  
Colburn, Gary (D)  
Gerke, Harold (D)  
Gould, Budd (R)  
Gunderson, Edna (D)  
Halvorson, Ora (D)

## **Local Government (Continued)**

Hurwitz, Burt (R)  
Jensen, William (R)  
Palmer, Bob (D)  
Pistoria, Paul (D)  
Ramirez, Jack (R)  
Roth, Audrey (R)  
South, Carroll (D)  
Stobie, Chris (R)  
Vinger, Orren (R)  
Waldron, Steve (D)

## **Natural Resources**

Shelden, Art, Chairman (D)  
Harper, Hal, Vice-Chairman (D)  
Bengtson, Esther (D)  
Burnett, Jim (R)  
Cooney, Mike (D)  
Cox, Edith (R)  
Curtiss, Aubyn (R)  
Davis, Dale (R)  
Ernst, Gene (R)  
Frates, Eugene (D)  
Hirsch, Les (D)  
Huennekens, Herb (D)  
Hurwitz, Burt (R)  
Kessler, Gerald (D)  
Metcalf, Jerry (D)  
Nathe, Dennis (R)  
Quilici, Joe (D)

## **Public Health, Welfare and Safety**

Menahan, Red, Chairman (D)  
Holmes, Polly, Vice-Chairman (D)  
Colburn, Gary (D)  
Cooney, Mike (D)  
Cox, Edith (R)  
Feda, Jerry (R)  
Gould, Budd (R)  
Gunderson, Edna (D)  
Harper, Hal (D)  
Jensen, William (D)  
Kenny, John (D)  
Kimble, Gary (D)  
Lynch, J. D. (D)  
Metcalf, Jerry (D)  
Palmer, Bob (D)  
Porter, Howard (R)  
Ryan, Patrick (D)  
Stobie, Chris (R)  
Vinger, Orren (R)  
Wyrick, Harold (R)



## **Public Health Subcommittee on Problems of the Elderly**

Palmer, Bob, Chairman (D)  
Gould, Budd (R)  
Kimble, Gary (D)  
Metcalf, Jerry (D)  
Porter, Howard (R)

## **Rules Committee**

Meloy, Mike, Chairman (D)  
Driscoll, John, Vice-Chairman (D)  
Bardanouve, Francis (D)  
Bradley, Dorothy (D)  
Brand, Joe (D)  
Fagg, Harrison (R)  
Kvaalen, Oscar (R)  
Marks, Robert (R)  
Moore, Jack (R)

## **State Administration**

Brand, Joe, Chairman (D)  
Lien, Edward, Vice-Chairman (D)  
Bardanouve, Francis (D)  
Feda, Jerry (R)  
Kanduch, Joe (D)  
Kropp, Paul (R)  
Menahan, Red (D)  
Meyer, Darryl (R)  
Mular, James (D)  
O'Connell, Helen (D)  
Robbins, Hershel (D)  
Ryan, Patrick (D)  
Smith, Carl (R)  
Tower, Lee (R)  
Turner, Clyde (R)

## **Taxation**

Huennekens, Herb, Chairman (D)  
Dassinger, E. N., Vice-Chairman (D)  
Bertelsen, Verner (R)  
Fabrega, W. Jay (R)  
Fagg, Harrison (R)  
Gilligan, Peter (D)  
Harrington, Dan (D)  
Hirsch, Les (D)  
Lien, Edward (D)  
O'Keefe, Warren (R)  
Severson, Elmer (R)  
Sivertsen, Robert (R)  
Uhde, Jack (D)

## **Taxation (Continued)**

Underdal, Melvin (R)  
Vincent, John (D)  
Waldron, Steve (D)  
Williams, J. Melvin (D)

## **Select Committee on Employee Compensation**

South, Carroll, Chairman (D)  
Driscoll, John (D)  
Ellis, Howard (R)  
Fabrega, W. Jay (R)  
Tropila, Joe (D)

# JOINT LEGISLATIVE COMMITTEES

## Administrative Code Committee

### Senate

Turnage, Jean A., Chr. (R)  
Devine, John W. (D)  
Flynn, Elmer (D)  
Murray, William E. (R)

### House

Barrett, Fred O. (R)  
Harper, Hal (D)  
Ramirez, Jack (R)  
Tropila, Joe (D)

## Capitol Planning & Building Committee

### Senate

Lowe, William R., Chr. (R)  
Warden, Margaret S. (D)

### House

Baeth, Russell (D)  
Cox, Edith E. (R)

## Consumer Counsel

### Senate

Kolstad, Allen, C., V-Chr. (R)  
Towe, Thomas E. (D)

### House

Quilici, Joe, Chr. (D)  
Lory, Earl C. (R)

## Environmental Quality Council

### Senate

Murphy, Terry, Chr. (D)  
Dunkle, Frank (R)  
Roberts, Joe R. (D)  
Roskie, George F. (R)

### House

Nathe, Dennis G., V-Chr. (R)  
Bertelsen, Verner L. (R)  
Meloy, Peter M. (D)  
Shelden, Arthur H. (D)

## Legislative Audit Committee

### Senate

Himsl, Matt, V-Chr. (R)  
Jergeson, Greg (D)  
Lockrem, Lloyd C. Jr. (R)  
Thiessen, Cornie R. (D)

### House

Gerke, Harold E., Chr. (D)  
Ellerd, Robert A. (R)  
Ellis, Howard L. (R)  
Scully, John P. (D)

## Legislative Council

### Senate

Graham, Carroll, Chr. (D)  
Hazelbaker, Frank W., V-Chr. (R)  
Blaylock, Chet (D)  
Goodover, Pat M. (R)

### House

Driscoll, John B. (D)  
Kvaalen, Oscar S. (R)  
Lynch, J. D. (D)  
Marks, Robert L. (R)



## **Legislative Finance Committee**

### **Senate**

Mathers, William L., Chr. (R)  
Fasbender, Larry (D)  
Norman, Bill (D)  
Regan, Pat (D)  
Smith, Ed B. (R)  
Stephens, Stan (R)

### **House**

Bardanouve, Francis, V-Chr. (D)  
Dussault, Ann Mary (D)  
Hurwitz, Burt L. (R)  
Lund, Art (R)  
Moore, Jack K. (R)  
South, Carroll V. (D)

## **Priorities Committee**

### **Senate**

Murphy, Terry, Chr. (D)  
Hazelbaker, Frank W. (R)  
Mathers, William L. (R)  
McOmber, W. Gordon (D)  
Roberts, Joe R. (D)  
Stephens, Stan (R)  
Thiessen, Cornie R. (D)  
Turnage, Jean A. (R)

### **House**

Bradley, Dorothy M. (D)  
Brand, Joe (D)  
Driscoll, John B. (D)  
Fagg, Harrison G. (R)  
Kvaalen, Oscar S. (R)  
Marks, Robert L. (R)  
Meloy, Peter M. (D)  
Moore, Jack K. (R)

## **Western States Forestry Task Force**

### **Senate**

Brown, Bob (R)  
Manley, John E. (D)

### **House**

Bradley, Dorothy M. (D)  
Kanduch, Joe F., Sr. (D)

# HOUSE JOURNAL

OF THE

## Forty-fifth Legislature

OF THE

### State of Montana

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#### FIRST LEGISLATIVE DAY

Helena, Montana  
January 3, 1977

House Chambers  
Capitol Building

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the Forty-fifth Legislature of the State of Montana, was called to order by the Honorable Frank Murray, Secretary of State of the State of Montana, who extended greetings to the members on behalf of the State of Montana.

The Secretary of State then announced the following temporary appointments: Father Robert O'Donnell of Helena, Montana, Temporary Chaplain; Sam Wolfe of Stevensville, Montana, Temporary Sergeant-at-Arms; Martha B. McGee of Helena, Montana, Temporary Chief Clerk; and Linda Barrett of Helena, Montana, Temporary Journal Clerk.

Posting of the Colors by Lieutenant Colonel Liston and staff from the Montana National Guard, and the Pledge of Allegiance to the Flag by the members followed.

Invocation was given by Father Robert O'Donnell.

The Chief Clerk called the roll by districts as follows: District No. 1, Dennis G. Nathe; District No. 2, Art Lund; District No. 3, Orren C. Vinger; District No. 4, G.C. "Jerry" Fedas; District No. 5, Paul K. Kropp; District No. 6, Francis Bardanouve; District No. 7, Robert Sivertson; District No. 8, Edna A. Gunderson; District No. 9, David Aageson; District No. 10, Audrey Roth; District No. 11, Rex Manuel; District No. 12, Melvin Underdal; District No. 13, George R. Johnston; District No. 14, Leo M. Kennerly, Jr.; District No. 15, Russell Baeth; District No. 16, Ora J. Halvorson; District No. 17, Jack Brian Uhde; District No. 18, Lee Tower; District No. 19, Clyde A. Turner; District No. 20, Aubyn A. Curtiss; District No. 21, William R. Baeth; District No. 22, Arthur H. Shelden; District No. 23, Chris H. Stobie; District No. 24, Harry Hansen; District No. 25, William Ray Jensen; District No. 26, Carl A. Seifert; District No. 27, Verner L. Bertelsen; District No. 28, Joe Brand; District No. 29, Peter M. (Mike) Meloy; District No. 30, Hal Harper; District No. 31, Jerry Metcalf; District No. 32, JoEllen Estenson; District No. 33, John B. Staigmiller; District No. 34, Helen G. O'Connell; District No. 35, Jack

Gunderson; District No. 36, Joe Tropila; District No. 37, Patrick L. Ryan; District No. 38, Peter J. Gilligan, Jr.; District No. 39, Paul G. Pistoria; District No. 40, John F. Kenny; District No. 41, Jack K. Moore; District No. 42, Darryl Meyer; District No. 43, Warren O'Keefe; District No. 44, W. Jay Fabrega; District No. 45, Burt Hurwitz; District No. 46, Hershel M. Robbins; District No. 47, Gene N. Ernst; District No. 48, Fred O. Barrett; District No. 49, Edward Lien; District No. 50, E.N. Dassinger; District No. 51, Carroll V. South; District No. 52, Les J. Hirsch; District No. 53, Oscar S. Kvaalen; District No. 54, William M. (Willie) Day; District No. 55, L.E. (Gene) Wood; District No. 56, Harold A. Wyrick; District No. 57, Carl M. Smith; District No. 58, Thomas R. Conroy; District No. 59, Esther G. Bengtson; District No. 60, Eugene F. Frates; District No. 61, Gary L. Colburn; District No. 62, Harold E. Gerke; District No. 63, Harrison G. Fagg; District No. 64, Jack Ramirez; District No. 65, Howard C. Porter; District No. 66, Gerald R. Kessler; District No. 67, Polly Holmes; District No. 68, Herb Huennekens; District No. 69, Wes Teague; District No. 70, J. Melvin Williams; District No. 71, James H. "Jim" Burnett; District No. 72, V. Jean McLane; District No. 73, Orval S. Ellison; District No. 74, Edith E. Cox; District No. 75, Robert A. Ellerd; District No. 76, John P. Scully; District No. 77, Dorothy M. Bradley; District No. 78, John Vincent; District No. 79, Dale H. Davis; District No. 80, Robert L. (Bob) Marks; District No. 81, Kerry R. Keyser; District No. 82, William M. Hand; District No. 83, Mike Cooney; District No. 84, Joe Quilici; District No. 85, James T. Mular; District No. 86, Jim Courtney; District No. 87, John "J.D." Lynch; District No. 88, Dan W. Harrington; District No. 89, Joe F. Kanduch, Sr.; District No. 90, William (Red) Menahan; District No. 91, John Brian Driscoll; District No. 92, Elmer D. Severson; District No. 93, Howard L. Ellis; District No. 94, Gary Niles Kimble; District No. 95, Ann Mary Dussault; District No. 96, Bob Palmer; District No. 97, Steve Waldron; District No. 98, R. Budd Gould; District No. 99, Earl C. Lory; District No. 100, Ralph S. Eudaily.

IN WITNESS WHEREOF, I  
have hereunto set my hand and  
affixed the Great Seal of the  
State of Montana, at Helena,  
the Capitol, this 3rd day of  
January A.D. 1977.

FRANK MURRAY  
Secretary of State

Secretary of State Frank Murray introduced the Honorable John C. Harrison, Associate Justice of the Montana Supreme Court, who administered the following oath:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States, and the Constitution of the State of Montana, and that I will discharge the duties of my office as representative with fidelity. SO HELP ME GOD."

Thereupon, having presented their certificates of election, the House members subscribed the foregoing oath.

The Secretary of State called for nominations for Speaker of the House of Representatives. Meloy, District 29, nominated John Driscoll, District 91. Moore, District 41, nominated Marks, District 80. Nominations were closed and the following votes were cast:

For Driscoll: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Driscoll,



Dussault, Estenson, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lien, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams. Total 57.

For Marks: Aageson, Barrett, Bertelsen, Burnett, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Hurwitz, Jensen, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick. Total 43.

Meloy and Marks escorted the newly-elected Speaker, John Driscoll, to the rostrum where he was formally introduced by the Secretary of State and presented with the Speaker's gavel. At this time the Speaker delivered the following address:

Secretary of State Murray, Justice Harrison, Father O'Donnell, Mom, Dad, Claudia, Patient Teachers and Interesting First Year Seatmates, Representatives Bardanouve, Brand and Menahan, Fellow Legislators, Ladies and Gentlemen:

To be appointed to this position of trust and responsibility by colleagues — is in my mind the highest honor I have ever been given.

Before beginning the business of the 45th Session I have a few observations.

Each of you represents 1/100 of the people of Montana, collectively we are in theory the most responsive, representative, direct voice of Montana — on either local, state or federal levels.

I say this because: Each of us not only faces election every two years — but we live with our families within the community that appoints us.

There is no question in my mind that together we are most able to represent the thoughts and wishes of the people of Montana about the quality and direction of our state government.

Centuries ago Aristotle observed (I'm now paraphrasing him) that even if the best chef claimed he had concocted the best soup — its true quality would be finally determined by the person eating the soup.

Or similarly — if the finest architect boasts that he has built his best house — his claim could be trusted only by the occupants that lived inside the house and agreed that it was of the finest quality.

As Representatives we are now returning to the drawing boards to modify and improve our government in light of the experience of our communities that have had to live under it.

Let's not forget that they must eat the soup as we now become chefs.

### Quality and Direction

We will improve the quality of our state government by double checking our work product — and closely overseeing the action of the executive branch.

We will best give direction to our state in such areas as tax reform, energy policy, resource development, water use and local government reform — by first identifying the problem, pondering expert testimony — and then deliberating.

The outcome of our deliberations will be the Montana seal of approval for a new direction or to retain the old.

If there is any hope for a State of Montana — run by Montanans — that hope has to be founded in this room. I am confident that together we can do the job.

## MOTIONS

Bradley nominated the following officers of the House of Representatives for the Forty-fifth Legislature: Speaker Pro Tem, Joe Brand; Majority Floor Leader, Mike Meloy; Chief Clerk, Martha McGee; Sergeant-at-Arms, Sam Wolfe; Chaplain, Father Robert O'Donnell. Marks moved that a unanimous ballot be cast for the above nominees. Motion carried.

Meloy moved that the temporary rules of the House be the joint rules of the House and Senate of the Forty-fourth Legislature, without exception. Motion carried.

Meloy moved that the temporary rules of the House be the temporary rules of the House of Representatives of the Forty-fourth Legislature. Motion carried.

Meloy moved that the Speaker appoint a committee of five members to notify His Excellency, the Governor, that the House is now organized and ready to receive any messages he wishes to deliver and also to learn the time set for his message. Motion carried. The Speaker appointed Brand, J. Gunderson, Estenson, Ellis, and Fagg.

Meloy moved that the Speaker appoint a committee of five members to inform the Honorable Senate that the House is now organized and ready to do business and that the House wishes them Godspeed. Motion carried. The Speaker appointed Bardanouve, Gerke, Quilici, Ramirez, and Kvaalen.

Meloy moved that the Speaker appoint a committee of five members to notify the Supreme Court that the House is now organized and ready to do business. Motion carried. The Speaker appointed Lynch, Kimble, Hirsch, Fabrega, and Lund.

## REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Flynn, McCallum, Graham and Galt was admitted and advised the House that the Senate was organized and ready for business.

## REPORTS OF STANDING COMMITTEES

### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

1/3/77

Respectfully recommend that the attaches approved by the Committee on Legislative Administration be approved by this Body.

Martha B. McGee .....	Chief Clerk
Edwin Smith .....	Temporary Assistant to Chief Clerk
Zorka DaSilva .....	Secretary to Chief Clerk
Veronica Ryan.....	Secretary to the Assistant Chief Clerk
Mary Conway .....	Clerk Typist
Pat Tyanich.....	Bills Clerk
Nadine McCurdy.....	Assistant Bills Clerk
Tim McKittrick.....	Reading Clerk
Dick Thompson .....	Reading Clerk

Patrick Herron .....	Posting Clerk
Linda Barrett .....	Journal Clerk
Betty Haight .....	Assistant Journal Clerk
Carol Williams .....	Bills Coordinator
Tom Staples .....	Assistant Bills Coordinator
Terri Blattspieler .....	Amendments Coordinator
Bobbie Murphy .....	Secretary to Speaker of House
Charline Boyer .....	Secretary to Majority Leader
Martha Brass .....	Secretary to Minority Leader
Jane Jones .....	Secretary to Majority Whip
Beau Walters .....	Legislative Printing
Judy Mook .....	Committee Secretary, Agriculture, Livestock and Irrigation
Jerry Williams .....	Committee Secretary, Appropriations
Patricia Romine .....	Committee Secretary, Education, Fish and Game
Edith Bartlett .....	Committee Secretary, Highways and Transportation
Mary Ellen Connelly .....	Committee Secretary, Judiciary
Debbie Jakovac .....	Committee Secretary, Labor and Employment Relations, Public Health, Welfare and Safety.
Yvonne Borgmann .....	Committee Secretary, Local Government
Emelia Satre .....	Committee Secretary, Natural Resources
Josephine Lahti .....	Committee Secretary, Taxation
Bettie Erickson .....	Chief Stenographer
Marian Kroll .....	Assistant Chief Stenographer
Donna McDuffie .....	Subcommittee Secretary for Water
Virginia Jellison .....	Subcommittee Secretary for Aging
Marian Collins .....	Steno/Status Clerk
Nina Kosmos .....	Steno
Evelyn Kranich .....	Steno
Laurie Levitan .....	Steno
Minna Miller .....	Steno
Anita Sierke .....	Steno
Rita Tenneson .....	Steno
Patty Thompson .....	Steno
Claudia Bunn .....	Steno/Status Clerk
Anita Buchanan .....	Typist
Diane Burgess .....	Typist
Margaret Wilhelm .....	Typist
Gladys Carpenter .....	Proofreader
Martha S. Herlevi .....	Proofreader
Alicia Pichette .....	Proofreader
Lewis Smith .....	Proofreader
Frank Taylor .....	Proofreader
Jane Shoquist .....	Proofreader
Ron Butzlaff .....	Permanent Page Chief Clerk's Office
Gail Kuntz .....	Researcher for Labor and Employment Relations
James Gardner .....	Researcher, Judiciary
Wally Orton .....	Doorman for 4th Floor
Kathy Murphy .....	Steno
Cynthia Sangray .....	Steno
Susan French .....	Steno

Report adopted.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 3, introduced by Dussault, W. Baeth, Bardanouve, Bradley, Brand,



Cooney, Courtney, Ellis, Estenson, Eudaily, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hansen, Huennekens, Harrington, Harper, Holmes, Kanduch, Kenny, Kimble, Menahan, Metcalf, O'Connell, Palmer, Robbins, Sheldon, Staigmiller, Scully, Vincent, Waldron. Referred to Committee on Taxation.

HB 4, introduced by Huennekens, Vincent, Lory. Referred to Committee on Judiciary.

HB 5, introduced by Huennekens, Vincent, Lory. Referred to Committee on Judiciary.

HB 6, introduced by Huennekens, Vincent, Lory. Referred to Committee on Judiciary.

HB 7, introduced by Huennekens, Vincent, Lory. Referred to Committee on Judiciary.

HB 8, introduced by Huennekens, Vincent. Referred to Committee on Appropriations.

HB 9, introduced by Moore, Burnett, Wyrick, Kropp, Smith, Marks, Turner, Barrett, Ramirez, Wood, Seifert, Curtiss, Fagg, O'Keefe, Tower, Meyer, Porter, Aageson, Nathe, Lund, McLane, Ernst, Cox, Ellerd, Ellis, Lory, Feda, Severson, Vinger, Keyser, Kvaalen, Fabrega. Referred to Committee on Taxation.

HB 10, introduced by Moore, Burnett, Wyrick, Kropp, Smith, Marks, Turner, Barrett, Ramirez, Wood, Seifert, Curtiss, Fagg, O'Keefe, Tower, Meyer, Porter, Aageson, Nathe, Lund, McLane, Ernst, Cox, Ellerd, Ellis, Lory, Feda, Severson, Vinger, Keyser, Kvaalen, Fabrega, Ellison. Referred to Committee on Taxation.

HB 11, introduced by Moore, Kropp, Wyrick, Burnett, Marks, Feda, Wood, Seifert, Curtiss, Fagg, Severson, O'Keefe, Tower, Meyer, Turner, Barrett, Ramirez, Porter, Vinger, Aageson, Nathe, Lund, McLane, Ernst, Stobie, Cox, Ellerd, Ellis, Lory, Keyser, Kvaalen, Fabrega. Referred to Committee on Taxation.

HB 12, introduced by Bardanouve. Referred to Committee on State Administration.

HB 13, introduced by Marks. Referred to Committee on Taxation.

HB 14, introduced by Kvaalen. Referred to Committee on Judiciary.

HB 15, introduced by Marks. Referred to Committee on Taxation.

HB 16, introduced by Bardanouve. Referred to Committee on Natural Resources.

HB 17, introduced by Marks. Referred to Committee on Business and Industry.

HB 18, introduced by Marks. Referred to Committee on Taxation.

HB 19, introduced by Marks. Referred to Committee on Taxation.

HB 20, introduced by Marks. Referred to Committee on Taxation.

HB 21, introduced by Bardanouve. Referred to Committee on State Administration.

HB 22, introduced by Kvaalen. Referred to Committee on Judiciary.

HB 23, introduced by Bardanouve. Referred to Committee on State Administration.

HB 24, introduced by Kvaalen. Referred to Committee on State Administration.

HB 25, introduced by Marks. Referred to Committee on Taxation.

HB 26, introduced by Marks. Referred to Committee on Taxation.

HB 27, introduced by Kvaalen. Referred to Committee on Judiciary.

HB 28, introduced by Bengtson, Roth. Referred to Committee on Judiciary.

HB 29, introduced by Bengtson, Roth. Referred to Committee on Judiciary.

HB 30, introduced by Bardanouve. Referred to Committee on Public Health, Welfare and Safety.



- HB 31, introduced by Bardanouve. Referred to Committee on Business and Industry.
- HB 32, introduced by Bardanouve. Referred to Committee on State Administration.
- HB 33, introduced by Bardanouve. Referred to Committee on State Administration.
- HB 34, introduced by Bardanouve. Referred to Committee on State Administration.
- HB 35, introduced by Bardanouve. Referred to Committee on State Administration.
- HB 36, introduced by Marks. Referred to Committee on Judiciary.
- HB 37, introduced by Bardanouve. Referred to Committee on State Administration.
- HB 38, introduced by Bardanouve. Referred to Committee on State Administration.
- HB 39, introduced by Kvaalen. Referred to Committee on Judiciary.
- HB 40, introduced by Kvaalen. Referred to Committee on Business and Industry.
- HB 41, introduced by Marks. Referred to Committee on Natural Resources.
- HB 42, introduced by Kvaalen. Referred to Committee on Business and Industry.
- HB 43, introduced by Kvaalen. Referred to Committee on Judiciary.
- HB 44, introduced by Bardanouve. Referred to Committee on Fish and Game.
- HB 45, introduced by Williams, Fabrega. Referred to Committee on Taxation.
- HB 46, introduced by Kvaalen. Referred to Committee on Judiciary.
- HB 47, introduced by Bradley. Referred to Committee on Taxation.
- HB 48, introduced by Bradley. Referred to Committee on Natural Resources.
- HB 49, introduced by Bradley. Referred to Committee on Business and Industry.
- HB 50, introduced by Fabrega. Referred to Committee on Taxation.
- HB 51, introduced by Fabrega. Referred to Committee on Taxation.
- HB 52, introduced by Holmes. Referred to Committee on Public Health, Welfare and Safety.
- HB 53, introduced by Marks. Referred to Committee on Judiciary.
- HB 54, introduced by Marks. Referred to Committee on State Administration.
- HB 55, introduced by Marks. Referred to Committee on Appropriations.
- HB 56, introduced by Gerke. Referred to Committee on Education.
- HB 57, introduced by Marks. Referred to Committee on State Administration.
- HB 58, introduced by Holmes. Referred to Committee on Business and Industry.
- HB 59, introduced by Marks. Referred to Committee on Education.
- HB 60, introduced by Quilici. Referred to Committee on Taxation.
- HB 61, introduced by Holmes. Referred to Committee on Public Health, Welfare and Safety.
- HJR 2, introduced by Huennekens, Vincent, Lory. Referred to Committee on Judiciary.
- HJR 3, introduced by Huennekens, Vincent, Lory. Referred to Committee on Judiciary.
- HJR 4, introduced by Bradley. Referred to Committee on Taxation.
- HR 1, introduced by Meloy. Referred to Committee on Rules.

## REPORTS OF SELECT COMMITTEES

The committee appointed to notify the Senate that the House was ready for business reported that it had done so. They were thanked for their faithful performance and discharged.

The committee appointed to notify the Supreme Court that the House was ready for business reported that it had done so. They were thanked for their faithful performance and discharged.

The committee appointed to notify the Governor that the House was ready for business reported that it had done so. The Governor sent the message that his doors would always be open to any legislators who wished to see him and wished them well. The committee was thanked for their faithful performance and discharged.

## UNFINISHED BUSINESS

The following committee chairmen were announced by the Chief Clerk:

Day — Agriculture, Livestock and Irrigation

Bardanoue — Appropriations

Vincent — Business and Industry

Dussault — Education

Staigmilller — Fish and Game

Baeth, W. — Highways and Transportation

Scully — Judiciary

Kimble — Labor and Employment Relations

Quilici — Legislative Administration/Bills and Journal

Robbins — Local Government

Shelden — Natural Resources

Meloy — Rules

Brand — State Administration

Huennekens — Taxation

Menahan — Public Health, Welfare and Safety

The Speaker announced the following staff of the rostrum and the Sergeant-at-Arms office: Ed Smith, Helena, Temporary Assistant Chief Clerk; Pat Tyanich, Helena, Bills Clerk; Nadine McCurdy, Helena, Assistant Bills Clerk; Betty Haight, Helena, Assistant Journal Clerk; Tim McKittrick, Anaconda, Reading Clerk; Dick Thompson, Missoula, Reading Clerk; Marian Collins, Helena, Steno/Status Clerk; Carol Williams, Helena, Bills Coordinator; Tom Staples, Butte, Assistant Bills Coordinator; Ron Butzlaff, Helena, Permanent Page, Chief Clerk's Office; Assistant Sergeant-at-Arms Steve Carney, Scobey; Clyde Neu, Helena; and Ken Robbins, Sula; and Pages Kathy Murphy, Helena; Robin Ryan, Anaconda; Tamara Vinger, Wolf Point; and GERALYNNE STRAKEL, Philipsburg.

## MOTIONS

Meloy moved that chief sponsors of prefiled bills be permitted to add names to the bill up until the end of the Third Legislative Day.

Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., January 4, 1977.

Motion carried.

House adjourned at 12:50 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. MCGEE, Chief Clerk

## SECOND LEGISLATIVE DAY

Helena, Montana  
January 4, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the First Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

RULES (Meloy, Chairman):

1/4/77

HR 1, introduced reading, be amended as follows:

1. Amend page 2, section H1-4, lines 1 through 5.  
Strike: section H1-4 in its entirety.
2. Amend page 2, section H1-5, line 6.  
Strike: the figure H1-5  
Insert: H1-4
3. Amend page 2, section H1-6, lines 11 through 15.  
Strike: section H1-6 in its entirety.
4. Amend page 4, section 8, line 7.  
Following: "Rules"  
Strike: "and Journal"
5. Amend page 4, section 8, lines 9 and 10.  
Following: "rules"  
Strike: "and journal"
6. Amend page 4, section 8, line 12.  
Following: "rules"  
Strike: "and journal"

And as amended, be adopted. Report adopted.

### MESSAGES FROM THE GOVERNOR

January 4, 1977

Honorable Gordon McOmber  
President of the Senate  
45th Legislative Session  
State Capitol

Honorable John Driscoll  
Speaker of the House  
45th Legislative Assembly  
State Capitol

Gentlemen:

I respectfully request a Joint Session of the Senate and House of Representatives to be held at 1:30 p.m., January 5, 1977 in the House Chambers.

It is my desire to present to the members of the Montana Legislature my State of the State Message for 1977 at that time.

Sincerely,

THOMAS L. JUDGE  
Governor

### MOTIONS

Marks moved that HB 41 be rereferred from the Committee on Natural Resources to the Committee on Business and Industry. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 2, introduced by Conroy, Holmes, Smith, Fagg, Tropila, Staigmiller, Frates, O'Connell, Ryan, Teague, Dassinger, Gerke, Ellerd, Lynch, Mular. Referred to Committee on Local Government.

HB 62, introduced by Bardanouve. Referred to Committee on State Administration.

HB 63, introduced by Bardanouve. Referred to Committee on State Administration.

HB 64, introduced by Marks, Moore. Referred to Committee on Appropriations.

HJR 5, introduced by Lory, Scully, (By Request of the Administrative Code Committee). Referred to Committee on Judiciary.

Meloy moved that the House adjourn until 1:00 p.m., January 5, 1977.

Motion carried.

House adjourned at 2:00 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## THIRD LEGISLATIVE DAY

Helena, Montana  
January 5, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Second Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):  
Correctly printed - HR 1.

1/5/77

### MOTIONS

Williams moved the following names be added as additional sponsors to prefiled HB 45: Fagg, Vincent, Dassingier, Gilligan, Harrington, Lien, Huennekens, Waldron. Motion carried.

Gerke moved that the rules be suspended and that the reading of the names be dispensed with. Motion carried.

Fabrega moved the following names be added as additional sponsors to prefiled HB 50: Marks, Kvaalen, Smith, Barrett, Lund, Pistoria, Meyer, Ryan, Feda, Gould, Ellis, Stobie, Lory, Gilligan, Robbins, Kenny, Conroy, Staigmiller, Bradley, Quilici, Lynch, Nathe, Kanduch, Seifert, Moore, Aageson, Ellerd, Ellison, Wyrick, Cox, Wood, Mular, Ernst, Keyser, Johnston, Severson, Kropp, Davis, Bengtson, Day, Dussault, Holmes, McLane, Vinger, Menahan, O'Keefe, Vincent, Lien, Harrington, Underdal, Huennekens, Williams, Ramirez, Halvorson, Burnett, Roth, Tropila, Scully, Hurwitz, O'Connell. Motion carried.

Moore moved the following names be added as additional sponsors to prefiled HB 11: Johnston, Gould, Underdal, Jensen, Eudaily, Bertelsen, Davis, Roth, Hurwitz, Sivertsen, Kenny, Pistoria, Smith. Motion carried.

Bengtson moved the following names be added as additional sponsors to prefiled HB 28: Day, Pistoria, Ramirez, Porter, McLane, Ellison, Fagg, Kessler, Frates, Conroy, Gerke, Vincent, Colburn, Lien, Fabrega, Hurwitz, Quilici, Ernst, Tropila, Eudaily. Motion carried.

Bengtson moved the following names be added as additional sponsors to prefiled HB 29: Day, Pistoria, Ramirez, Porter, McLane, Ellison, Williams, Frates, Fagg, Kessler, Conroy, Gerke, Vincent, Colburn, Lien, Fabrega, Hurwitz, Quilici, Ernst, Tropila, Eudaily. Motion carried.

Bradley moved the following names be added as additional sponsors to prefiled HJR 4: Lien, Nathe, Lund. Motion carried.

Bradley moved the following name be added as an additional sponsor to prefiled HB 48: Huennekens. Motion carried.

Bradley moved the following names be added as additional sponsors to prefiled HB 49: Harrington, Courtney, Cooney. Motion carried.

Gerke moved the following names be added as additional sponsors to

prefiled HB 56: Frates, Bengtson, Conroy, Williams, South, Hirsch, Holmes, Ramirez, Robbins, Porter, Johnston, McLane, Ryan, Burnett, Kessler, Kenny, Hansen, Huennekens, Teague. Motion carried.

Meloy moved that the rules be suspended and that House Resolution No. 1 be placed on Second Reading this day. Motion carried.

### **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HR 1 be adopted. (93-2)

That the committee rise and report. (Lynch, Chairman) Report adopted.

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following bills were introduced, read first time and referred to committees:

HB 65, introduced by Scully, Lory, Barrett, (Requested by Administrative Code Committee). Referred to Committee on Judiciary.

HB 66, introduced by Robbins, Bertelsen, Sivertsen, O'Connell, Gilligan, Pistoria, Kimble. Referred to Committee on Education.

HB 67, introduced by Robbins, Bertelsen, Sivertsen, O'Connell. Referred to Committee on State Administration.

HB 68, introduced by Bertelsen, Robbins, Sivertsen. Referred to Committee on State Administration.

HB 69, introduced by Gunderson, South, Palmer, Moore, Burnett, Metcalf, Fagg. Referred to Committee on Education.

HB 70, introduced by Fabrega, Moore, O'Keefe, Fagg, Williams, Lien, Huennekens, Vincent, Underdal. Referred to Committee on Taxation.

HB 71, introduced by Feda, Johnston, Lund, Robbins, Marks, Underdal, Staigmiller, Gerke, Burnett, Fagg. Referred to Committee on Business and Industry.

### **MOTIONS**

Meloy moved that the Speaker appoint a committee of two to serve with a like committee of the Senate to escort the Governor to the Chambers. Motion carried.

The Speaker appointed Representatives Lynch and Curtiss.

### **SPECIAL ORDERS OF THE DAY**

A committee from the Senate entered to notify the House that the Senate was ready to convene in Joint Session.

Members of the Senate were admitted to the House.

The Legislature being in Joint Session, Senate President W. Gordon McOmber occupying the Chair for the Joint Session, appointed the following committee to notify the Governor that the Senate and House of Repre-

sentatives had convened in Joint Session and were ready to hear his message: Senators Manning and Mathers and Representatives Lynch and Curtiss.

Posting of the Colors by Lieutenant Watne and members of the Montana National Guard.

His Excellency, Thomas L. Judge, was escorted to the rostrum.

Invocation by the Senate Chaplain. Pledge of Allegiance to the Flag.

After being presented to the members of both Houses by the President of the Senate, the Governor delivered his address.

STATE OF THE STATE MESSAGE  
GOVERNOR THOMAS L. JUDGE

Forty-fifth Legislature

January 5, 1977

Lieutenant Governor Schwinden, President McOmber, Speaker Driscoll, Chief Justice Hatfield and members of the Montana Supreme Court, members of the cabinet, distinguished members of the 45th Montana Legislature, fellow Montanans:

The Constitution of the State of Montana, which requires the Governor at the beginning of each legislative session "to give the Legislature information and recommend measures he considers necessary" states: "All political power is vested in and derived from the people."

We in public office must constantly remind ourselves that the power we have and the authority we exercise come from the people. Our most solemn obligation is to serve the best interests of the people of our state — all the people.

As Chief Executive, I recognize the pre-eminent position of the Legislature as the first branch of government. For it is through you, the members of the Legislature, that the people of Montana establish the broad framework of public policy for our state government; through you that the people set priorities for the expenditure of public monies; through you that the people supervise the implementation of the policies and programs established by legislative action.

I believe that we have real reason to share pride in our recent accomplishments, and to maintain confidence in our ability to meet the problems of today and the challenges of the future.

"Montana has lived the life of the nation," wisely wrote a native son, "on a reduced scale and at breakneck speed."

And so we have. Andrew Carnegie's struggle for wealth and power is emulated by William Clark. The political courage of Lincoln and Webster are preserved in our Joseph Dixon and the young Burton K. Wheeler. The heroism of Daniel Boone was displayed in those men and women — our parents and grandparents — who, in search of independence, founded this society we now cherish.

The bright promise of America was fulfilled in the popular imagination by the Great West, where there seemed to be land enough for every one. The West was depicted as a bounteous garden needing only the gentle touch of humanity to bring it fully to bloom. The 19th century literature encouraging movement westward even seriously argued that "rain follows the plough".



Reality long ago exploded that myth. Relentless drought taught us the heartbreaking lesson that not even hard work can overcome the fickle cruelties of nature. As westerners we know that try as we might, we still must face limitation.

In recent years, America has learned what Montana long ago knew. The energy crisis, the recession, failure in Viet Nam, forced America to confront limitation. The myth of America's infinite power was reluctantly put aside.

In the first seven years of this decade, the people of Montana recognized that the problems facing them were potentially as serious as any confronted in their history. They did not turn from these problems. They did not ignore them. They acted — firmly, clearly, and with foresight — cognizant of the wealth as well as the limits of their natural resources.

Working their will through the legislative and executive branches of state government, the people initiated the most sweeping and decisive changes since Montana entered the Union 88 years ago.

In 1970, the people ordered executive reorganization to attain greater public control over state agencies, and to exact increased political accountability from their elected and appointed officials. In 1972, Montanans approved an historic new State Constitution which, among other things, mandated periodic review by the people of the forms of their local governments.

During the last four years the Montana Legislature has enacted the nation's finest package of environmental protection laws. For the first time in the state's history, our people are receiving their just share of the rewards of resource development.

Montanans have greatly increased their commitment to education at all levels, nearly doubling state non-property tax support for public schools, vocational and technical education programs.

The 44th Legislature acted with compassion in more than doubling state appropriations for the care of Montana's mentally ill and developmentally disabled. Former institutional residents are beginning to enjoy productive lives in group or foster homes located near their families and friends. The state now has adequate staff, decently paid and properly trained, to care for those requiring the services of Boulder or Warm Springs.

During the last four years, we brought sweeping tax relief to the people, while we maintained Montana's state government in its best fiscal condition in our history. Modernization of state investment policies, an aggressive new program for auditing out-of-state corporations, growth in our economy and an equitable coal severance tax contributed to a \$46 million general fund surplus. We achieved this at a time when unemployment across the nation was the worst since the Great Depression, when inflation ravaged the buying power of Americans everywhere, and when bankruptcy haunted other states and major cities.

The people of Montana have forged the tools to shape their future. They have entrusted these tools to our care. They have instructed us to use them well.

I come before you today, glad for the advances already achieved and solemn in the determination that they will be secured for this and for future generations.

I come before you today, ladies and gentlemen of the 45th Montana Legislature, to assert that the days of rapid change in Montana govern-



ment are, for the present, ended. During this administration, government will be made better, not bigger; more efficient, not more expansive; more respectful of the individual freedoms of our people, not more meddlesome in their lives.

And the thrust of my executive recommendations will reflect these objectives.

This year marks the first time that every program contained in the executive budget has been scrutinized and based on long range goals and objectives. As a result, this budget is pared to a minimum to provide only those services which Montanans want, need and can afford.

Excluding the allocation of general fund monies for the property tax initiative and elimination of the permissive levy, the General Fund operational budget for the new biennium is only 12 percent higher than for the current biennium.

Again, excluding those allocations, the General Fund operating budget is composed totally of funds currently available. Our proposed operational budget will have a \$12 million projected surplus at the end of the biennium. Recent experience has taught us conclusively that maintenance of a reasonable surplus is an effective management tool, and is a responsible hedge against inflation and unforeseen shifts in the state's economy. I will resist any attempt to reduce the surplus below \$12 million, by veto if necessary, and I will, in like manner, reject any general tax increase enacted during this session of the Legislature. Your approval of the Executive Budget will reduce the total number of full-time equivalent state employees in state government by nearly 200.

We can, we must, and we will, establish a government no larger, and no smaller, than is necessary to do for our people what they as individuals cannot do for themselves.

While Montana ranks 40th among the 50 states in all state taxes collected per capita, we rank 6th in the amount of property taxes levied per capita on our citizens. Although state government receives less than five percent of property tax revenues, the state does have the responsibility to insure that ability-to-pay is maintained as the prevailing principle of equitable taxation among all political jurisdictions within its boundaries.

The property tax conflicts with that principle. Many elderly people are forced into rented rooms or even nursing homes because their fixed incomes are insufficient to pay skyrocketing local property tax bills.

The Executive Budget proposes direct property tax relief amounting to \$61.4 million for the coming biennium.

On November 2, 1976, the voters approved Initiative No. 72 in every county in Montana by a plurality of 120,921 votes or 70 percent of the votes cast. The will of the people concerning property tax relief is resoundingly clear.

Twenty-nine point six million is recommended to fund the Homestead Tax Relief Act which will reduce by \$100 the property tax bill for the average Montana homeowner. I urge this Legislature to give Montanans this long overdue tax relief.

Another \$31.8 million is provided to eliminate the statewide permissive levy for the public schools; over half of this amount would come from federal revenue sharing funds. During the next two years, there will be no statewide property taxes for support of public schools in Montana.

Montana local governments depend on the property tax far more heavily than their counterparts in other states. In 1973, there were only four states lacking any form of a revenue sharing program. Not surprisingly, one of those states was, and still is, Montana.

I urge your approval of my proposed Montana State-Local Revenue Sharing Program which would commit three percent of the surtax each year, providing \$3.5 million to local governments.

To fulfill the spirit as well as the letter of the mandate of the 1972 Constitution regarding reappraisal, I am requesting an additional \$2.15 million to complete within one year the reappraisal of all property in the state. These new appraisals shall not be used for tax purposes until they are all completed one year from now. Equity for our citizens and increased management efficiency in local government will be served by your swift approval of this recommendation.

We can, we must; and we will achieve a fair and equitable tax structure in Montana. I do not consider repeal of the income tax surcharge or enactment of an experimental gross income tax to be consistent with equity and fairness in taxation.

Still festering from the exploitative practices of the past and requiring increased attention in the future, Montana's economy remains our chief long range problem and my number one priority.

The average unemployment rate for 1976 was 7.8 percent in Montana. Over 24,000 men and women today seek employment and a decent living for themselves and their families.

The problems facing agriculture, our state's number one industry, are severe. Grain growers face prices \$2 per bushel below the bare cost of production. Our ranchers have seen little respite from the insupportably low cattle prices plaguing their industry since 1973. Predators continue to drive our sheepmen out of business. This agricultural depression, now spread to every segment, is depriving our economy of millions of dollars each week.

Despite high unemployment and the problems facing our agricultural industries, there were some bright spots in the labor market in 1976: 2,400 new business firms were established in Montana during the year, with new trade and service firms accounting for more than half of the total. Multi-million dollar construction contracts were awarded late in the year, augering well for the 1977 work season. Through the promotion of Montana agricultural commodities and technical know-how in foreign countries, millions of dollars will flow into the Montana economy. Our state travel promotion program generated over \$300 million to the economy in 1976.

Through the Work Incentive Program, Montana placed more welfare recipients in jobs than any other state in our region, saving more than \$1.3 million per year in AFDC payments. We far surpassed our federally specified goal with a job placement total of 1,100 for the year, and we did it with the least cost per job placement in our area.

These are heartening indications. Nonetheless, we must act firmly and carefully to address our continuing economic difficulties.

In the first nine months of 1976, over \$32 million in state and federal unemployment benefits were paid — more than the total payments of the thirteen years between 1940 and 1952. Last year, Montana was one of 21 states to borrow from the federal government to meet the basic eco-

economic needs of our citizens out of work. Although, our \$1.4 million was the lowest amount borrowed by a state, we may be forced to borrow another \$4 million this year.

To return our unemployment program to solvency, I recommend the following: enactment of more stringent disqualification criteria for those who voluntarily leave a job or those who refuse to accept suitable employment; establishment of a new part-time work formula to encourage claimants to accept part-time work; and examination of existing insurance rates to assure fund solvency.

In August of last year, I appointed a Task Force on the Future Role of State Government in Economic Planning and Development to recommend means of increasing per capita income and of creating decent and secure jobs for all Montanans.

The Task Force, in its summary report, points out, "Maintenance of our economy is dependent upon the continued extraction of our resources and sale to markets outside Montana. Improving our economy is dependent upon our ability to penetrate additional domestic and international markets." The Montana International Trade Commission, the Montana Trade Showcase, the Wheat Research and Marketing Committee are responsible examples of state action to achieve that objective.

Acting on a final recommendation of this Task Force, I am proposing to this Legislature that an unpaid Council of Economic Advisors be created to provide the Governor, on an ongoing basis, with the best advice on economic policy available in Montana. The Council should include representatives from business, agriculture, the environmental sector, labor, the University System, and local government.

Furthermore, I am recommending to this body expansion of the economic development program in the Department of Community Affairs to serve as the lead state agency in monitoring and assisting economic growth in Montana.

Montana is indeed blessed with vast reaches of unspoiled land and large quantities of water, providing an enormous capacity for food production. We are rich in minerals, coal reserves and timber.

Our challenge is to enhance the productivity of our renewable resources through wise management and to develop carefully our non-renewable resources in a manner that will insure that our priceless environment will be protected.

Montanans — not the energy companies, not the federal government — have exclusive right to make decisions governing development of our resources. I will continue to oppose strenuously any efforts to preempt states' rights in resource management decisions.

I will veto any bill which would lower the coal severance tax or weaken the strip mine reclamation act, the utility siting act or the hard rock mining act.

Development of our resources in an intelligent, well-planned manner will provide present and future generations a quality of life never imagined possible in this or any other state.

We can, we must, and we will make this dream — the dream embraced by every Montanan since our prairies first were crossed — a reality.

The energy crisis has had a severe impact on this nation and the State of Montana. The future economy and environment of Montana depend on how we in Montana and this nation address this problem today.



As directed by HB 453 passed during the last session, I will submit within two weeks a state energy policy for your review and consideration.

The policy will contain, among other things, recommendations for greater energy conservation; the pending economic and energy crisis faced by Montana as a result of curtailment of Canadian natural gas and crude oil; the need for a strong national position on energy development proposed north of our border; the necessity to develop alternative energy sources and to provide tax incentives to expand domestic production of oil and natural gas. We can, we must, and we will contribute our share to the solution of the nation's energy problems without destroying for all time the agricultural way of life which is the very foundation of our society in this state.

One of the most important responsibilities assigned to state government is that of maintaining what is referred to in the Montana Constitution as a "system of education which will develop the full educational potential of each person." The reason that our people have always placed such great importance upon education is evident. The ability of a society to advance in any field of human endeavor — whether economics, science, agriculture, industry, government, art, or engineering — is determined in the classrooms of that society.

Therefore, I urge your approval of the Executive Budget recommendation which will fully fund the school foundation program and increase its schedules by six percent each year.

I believe that the Montana University System deserves special consideration from this Legislature. The Board of Regents and Office of the Commissioner of Higher Education created by the new Constitution are making progress toward establishing a unified university system.

Higher education in Montana, however, has historically been underfunded and this deficiency must be remedied. My Executive Budget proposes an increase of 24 percent for the University System to provide badly needed equipment and for inflation impacted operating expenses. Community college support is increased to 65 percent of the operational budget, and another half million dollars is provided to purchase books for the University Library.

This increase is not excessive; an appropriation below this level will severely impair the ability of the University System to carry out its critical responsibilities. I support the designation of the Board of Public Education as the sole state agency for vocational education in Montana.

We can, we must, and we will continue to improve our educational institutions so that the full potential of our children will be realized.

Two years ago, the disgusting and degrading conditions in our state institutions for the care of the mentally ill and the developmentally disabled were made known to the members of this body. You acted with concern and generosity in providing substantially increased funding for these programs, in creating the Mental Disabilities Board of Visitors to monitor the progress and efficiency in the institutions, and in supporting the state's first real community care programs.

I am pleased to report that in accordance with your instructions, we have reduced the populations of the Warm Springs State Hospital and the Boulder River School and Hospital, respectively, from 908 to 552 and from 400 to 304. The Developmental Disabilities Advisory Council is working to increase private sector capability to operate community care



programs. I urge your approval of my budget recommendations in these areas which will increase, by the end of the biennium, state appropriations by 74 percent over the level of four years ago.

We can, we must, and we will fulfill the spirit of House Joint Resolution 11 approved in 1973 which stated that every Montanan has the right to a fully normal and productive life.

Two years ago, we created the Montana Council of Criminal Justice Standards and Goals, now known as the Montana Justice Project, to recommend ways of guaranteeing more completely the security of our people in their homes. The Council now has completed its work and has made recommendations for every area of the criminal justice system.

I commend the Council and its Chairman, Attorney General Mike Greely, for the outstanding work they have done. Their proposed standards will go far toward strengthening our criminal justice system and they are deserving of your careful consideration.

Furthermore, we must do all in our power to secure for our judiciary the best qualified individuals available.

I urge you to approve the recommendations of the State Salary Commission, as they pertain to District and Supreme Court Judges. Only one-quarter of one percent of the General Fund currently is applied to the judicial branch of government. Clearly, that is inadequate. And, we must raise District Court fees which are paid by the five percent of the populace utilizing the courts.

We can, we must, and we will establish in Montana a criminal justice system which fairly and efficiently administers justice to keep safe and decent the communities in which we live.

The land and how we decide to use it today will indeed determine whether Montana will attain in the future the highest quality of life, or whether ours will go the way of so many other parts of America — spoiled and misused.

Two years ago, the Montana Economic Land Development Act was enacted and signed into law. Since that time, it has become apparent that the bill cannot be administered, does not accomplish what it was designed to do, and violates the principles of equitable taxation and of local control. I strongly urge its repeal.

At the same time, state and local governments must together assume responsibility for planning the use of our land to protect our agricultural way of life, to improve the environment bequeathed to us, and to expand recreational opportunities available to our citizens.

I propose establishment of a Commission for Areas of State Concern. That Commission, composed of five state-appointed and four locally-appointed members, would provide the means by which the state and local governments may jointly identify areas of mutual concern and share the responsibility for planning and management.

Acquisition by the Fish and Game Commission of the Mt. Haggin Ranch property for recreational purposes was one of the most significant conservationist actions accomplished in the state's history. I support acquisition of additional recreational land and improvement of Montana's state parks and recreational areas, which are becoming overcrowded.

The state must strengthen the partnership we have been building in recent years between the state and local governments. The new local

government codes represent the crowning achievement of nearly three years' work by the State Commission on Local Government, chaired by Representative Harold Gerke and acting at the direction of the 43rd Legislature. I urge your approval of the new codes.

We can, we must, and we will provide the people of Montana with a system of state and local government, flexible to act on their commands, sturdy to meet the changing needs of a vibrant people.

No government in a free society can succeed in any of its endeavors unless it keeps the confidence of the people it serves.

Equality of opportunity is a principle underlying the very foundation of our society. Yet it remains unattained.

We cannot expect private employers to make a good-faith effort to find qualified women and minorities to fill their better jobs if the State fails in its responsibility to do so. I am ordering all state agencies to redouble their efforts in this regard.

At the same time, the people must forever remain firmly in control of their governments and know that they are.

This Administration will continue to bring government to the people in our public forums, through open meetings, the Citizen Advocate, and we will promulgate rules for greater citizen participation.

As we set to work in 1977, we know ourselves again to be the pioneers of a new era. But this year, we Montanans are not moving on.

Our horizon is no longer distant. It lies immediately before us — in the faces of our children, in the streams that today run clear, in the land that gives sustenance to an undernourished world. We stand today ready to act, fully mindful of the wealth of our natural resources, as well as their limits.

A century ago, a perceptive Crow Indian chief described Montana as the "right place". "Everything good," he said, "is to be found here."

For we can, we must, and we will work together to fashion in this, our home, a society born of mutual trust, not competitive suspicion; bred in the strength of compassion, not the corruption of greed; brought to repose in the purity of the natural splendor which sustains and inspires us, where everything good is to be found.

I wish you well in your deliberations, and I pledge to you my support and cooperation.

Thank you.

THOMAS L. JUDGE, Governor

Benediction was given by Father James Farrell of Carroll College.

The Governor was escorted from the chambers.

Murphy moved that the 45th Legislature in Joint Session authorize the publication of 500 copies of Governor Judge's State of the State address. Motion carried.

The Joint Session having been dissolved, the House resumed business at 2:50 p.m.

Mr. Speaker in the Chair.

**UNFINISHED BUSINESS**

Day announced the following appointments to the Judiciary Subcommittee on Montana Water: Dassinger, Mular, Halvorson, Kimble, Hand, W. Baeth, Day, Scully, Bengtson, Dussault, Ellison, Nathe, Curtiss, Lory, and Ramirez.

Meloy moved that the House adjourn until 1:30 p.m., January 6, 1977.

Motion carried.

House adjourned at 2:55 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## FOURTH LEGISLATIVE DAY

Helena, Montana  
January 6, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Sivertsen, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Third Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

The Speaker announced the transfer of Conroy from the Labor Committee to the Judiciary Committee and he has also been assigned to the Fish and Game Committee.

Lynch is being assigned to the Labor Committee.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Correctly enrolled - HR 1.	1/6/77
Examined by sponsor and found to be correct - HR 1.	1/6/77
To be signed on adjournment Jan. 6, 1977 - HR 1.	1/6/77

### MESSAGES FROM THE GOVERNOR

#### GOVERNOR'S BUDGET MESSAGE

During this decade, Montana has confronted some of the most serious problems in its history. To a fuel-starved nation, we have the largest supply of recoverable coal in the country. To a hungry world, we are a major producer of grain, cattle, and sheep. To land speculators residing in other states, we are one of the last regions having vast open spaces and seemingly unlimited recreational opportunities. Our people, at the same time, have required adequate and secure livelihoods, decent schools, sufficient programs for the mentally ill and retarded, and a level of taxation that is reasonable and fair.

During the last four years, the Montana Legislature, acting in cooperation with this state administration, enacted sweeping legislation to protect our environment, to safeguard the rights of individual citizens and working people, and to establish businesslike management practices in state government. The members of this body funded unprecedented new and expanded programs for education, for agriculture, for senior citizens. They acted with compassion and generosity in redressing the historical neglect of our citizens afflicted with disabilities. And all of these things were accomplished during the worst national recession since the Great Depression. No personal tax increases were enacted, and state government in Montana achieved the greatest fiscal stability in its history. Vigorous audits of out-of-state corporations, careful investment of state funds, passage of new mineral severance taxes, and careful management contributed to an unprecedented \$47 million general fund surplus.

During the next four years, the energy of this administration will be

devoted to securing for Montana's lasting future the advances embodied in the great changes made recently. The Executive Budget I am hereby transmitting to you has been fashioned in accordance with that goal.

This document is the product of a planning and budgeting process new to state government. The goals and objectives for each program area were identified as part of a six-year planning process. Agency budgets have been built according to carefully determined priorities drawn from policy initiatives which, I believe, accurately represent the needs and desires of the people of Montana. The budget is not inflationary. In fact, it actually reduces the number of full-time employees in state government over the course of the coming biennium.

### PROPERTY TAX RELIEF

The results of the recent general election made clear that Montanans strongly agree that the property tax is the single most serious tax problem facing our state. Therefore, this budget proposes direct property tax relief amounting to \$61.4 million for the coming biennium. In order to fund the property tax initiative which was approved overwhelmingly by the electorate, I have reserved \$29.6 million in the budget. These funds are recommended to provide direct relief averaging \$100 per unit on owner-occupied dwellings in Montana.

Another \$31.8 million is provided to eliminate the statewide permissive levy for the public schools. Over half of this money would come from federal revenue sharing funds, with the balance coming from the state general fund.

Additional indirect property tax relief is provided by my recommendation for full funding of the school foundation program, with schedules increased six percent each year of the new biennium. This requires a total state contribution of \$174 million, \$43 million of which would come from the general fund. Earmarked income taxes, corporation taxes, coal taxes and interest and income earnings provide most of the other \$131 million.

### TAX INCREASE

No tax increase is recommended or required for this budget.

### NON-INFLATIONARY BUDGET

Excluding the direct allocation of general fund monies for the property tax initiative and permissive levy, the general fund operational budget for the new biennium is only 12 percent higher than for the current biennium. The general fund operating budget for FY 78 is only 3.6 percent higher than for FY 77, and for FY 79 it is only 2.6 percent higher than for FY 78.

The \$47 million general fund surplus anticipated by the end of FY 77 is returned to the taxpayers of Montana through direct property tax relief amounting to \$45.26 million.

The general fund operating budget for the next biennium, excluding the property tax relief funded from the surplus but including the foundation program, is totally funded from current revenues, leaving a \$12 million projected surplus at the end of the biennium. Our proposed operational budget is \$403 million, while anticipated revenues are \$413 million.

Furthermore, according to our projections at this time, the entire general fund budget for FY 1980 and 1981, including extension of property tax relief programs, will be fundable out of revenues received during those

two years. We anticipate the need for no tax increases through the end of this administration.

The number of full-time equivalent state employees requested in this budget will be approximately 200 fewer at the end of the biennium than the number authorized for the current fiscal year.

### SIGNIFICANT GENERAL FUND BUDGET MODIFICATIONS

I am recommending an additional \$500,000 each year for the Montana Supreme Court. The rapidly increasing caseload facing that body requires additional staff and raises its operational cost.

I am recommending a significant increase for the University System to provide badly needed equipment and to pay for inflationary increases in utilities and other operating expenses. The state contribution to community college funding is increased to 65 percent of the recommended budget, and an extra \$1.2 million is recommended for the WICHE program. Another \$500,000 is recommended to purchase books for the University library. Finally, following the precedent of the previous legislature, I am recommending a discretionary fund of \$1.425 million each year for the Regents to be allocated according to their own priorities to such projects, for example, as making university facilities more accessible to the handicapped, instructional television, energy studies, additional faculty.

Funding is recommended to allow the Department of Revenue to complete the statewide reappraisal one year earlier than originally planned. Reappraisal will insure that all property owners are taxed on an equitable basis.

Due to the success of the deinstitutionalization programs, we have been able to reduce staff size at Boulder and Warm Springs and still provide the same high level of care authorized by the 44th Legislature. In this regard, I have recommended increased funding for the community mental health and developmental disabilities programs to care for the citizens now residing in their communities who would otherwise have been faced with institutionalization.

To plan for Montana's economic future I am recommending strengthening of the economic development program located in the Department of Community Affairs. It will be combined with the Office of Commerce now located in the Governor's Office and will vigorously address the economic development problems facing Montana.

The Medicaid program is fully funded with no reduction in benefits. The aging services program would receive an additional \$100,000 each year to be used solely for grants to senior citizen groups interested in operating self-help programs.

### CONCLUSION

A government should be no larger and no smaller than is necessary to provide for the needs of the citizens it exists to serve. The budget for operation of Montana's state government which I am presenting to you today is a taxpayer's budget. Although it is pared to a bare minimum, I feel that it adequately addresses the problems facing Montana during the upcoming biennium.

Respectfully, I ask your full and serious consideration of these recommendations.

Thomas L. Judge, Governor



### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 72, introduced by Ramirez. Referred to Committee on Judiciary.

HB 73, introduced by Ramirez. Referred to Committee on Taxation.

HB 74, introduced by Ramirez. Referred to Committee on Taxation.

HB 75, introduced by Underdal, Feda, Moore, Cox, Johnston, Kropp, Staigmiller, Fabrega, Ellis, Ellison, Aageson, Lund, Wyrick, Ernst, Roth, Conroy, Tropila, Seifert, Smith, Gould. Referred to Committee on Labor and Employment Relations.

HJR 6, introduced by Quilici, Lund. Referred to Committee on Appropriations.

### MOTIONS

Scully moved that the Speaker be directed to communicate appreciation from the House of Representatives to the Billings Gazette staff for complimentary copies of their newspaper provided to members in their region. Motion carried.

House at ease subject to the call of the Chair.

House resumed at 2:10 p.m.

### COMMUNICATIONS AND PETITIONS

The Speaker announced the transfer of Kimble from the Judiciary Committee to the Public Health, Welfare and Safety Committee.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

HB 1, introduced by Bardanouve. Referred to Committee on Appropriations.

Meloy moved that the House adjourn until 1:30 p.m., January 7, 1977.

Motion carried.

House adjourned at 2:15 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FIFTH LEGISLATIVE DAY

Helena, Montana  
January 7, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Cox and Sivertsen, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 1/6/77  
Was signed January 6, 1977 - HR 1.

APPROPRIATIONS (Bardanoue, Chairman): 1/7/77  
HB 1, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 14.

Strike: "251,510"

Insert: "260,927"

2. Amend page 1, section 1, line 17.

Strike: "1,105,918"

Insert: "1,115,335"

3. Amend page 2, section 1, line 6.

Strike: "2,332,212"

Insert: "2,341,629"

And as amended, do pass. Report adopted.

### MOTIONS

Meloy moved that the rules be suspended and that HB 1 be placed on Second Reading today. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 76, introduced by Mular. Referred to Committee on Fish and Game.

HB 77, introduced by Barrett, Lory, Scully, Vincent, (By Request of Administrative Code Committee). Referred to Committee on Judiciary.

HB 78, introduced by Marks, Moore. Referred to Committee on Taxation.

HB 79, introduced by Scully, Vincent, Ryan. Referred to Committee on Judiciary.

HB 80, introduced by Palmer, O'Keefe, Cooney, Dassinger, Waldron, Lory, Fagg. Referred to Committee on Judiciary.

HB 81, introduced by Scully, (By Request of Juvenile Officer). Referred to Committee on Public Health, Welfare and Safety.

HB 82, introduced by Pistoria, W. Baeth. Referred to Committee on Highways and Transportation.

HB 83, introduced by Brand, Driscoll. Referred to Committee on Taxation.

HB 84, introduced by Staigmilller, Conroy, Smith, Lien, Johnston, O'Connell, Fedas, Hurwitz, Hirsch, Burnett, Wyrick, Tropila, Ellerd, Davis, Gould. Referred to Committee on Judiciary.

HB 85, introduced by Dassinger, Day, Cox. Referred to Committee on Taxation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 1 do pass. (92-2)

That the committee rise and report and beg leave to sit again. (Moore, Chairman) Report adopted.

## MOTIONS

Meloy moved that the rules be suspended and HB 1 be placed on Third Reading today. Motion carried.

## THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 1 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Smith, Stobie.

Total 2

Excused: Cox, Sivertsen.

Total 2

Absent or not voting: Brand, Hurwitz.

Total 2

## REPORTS OF STANDING COMMITTEES

TAXATION (Huennekens, Chairman):

1/7/77

HB 13 do pass. Report adopted.

HB 18 do pass. Report adopted.

HB 20, introduced bill, be amended as follows:

1. Amend page 18, section 12, lines 7-9

Following: "cigarette,"

Strike: "or unless the same shall be has been taken from the original package having affixed thereto the insignia required by this act,"

Insert: "taken from a package which does not bear the required insignia"

And as amended, do pass. Report adopted.

HB 26, introduced bill, be amended as follows:

1. Amend page 4, section 2(6), line 3

Following: "revenue"

Strike: "9fu"

And as amended, do pass. Report adopted.

House recessed at 2:00 p.m. subject to the call of the Chair.

House resumed at 3:25 p.m.

Sivertsen present at this time.

### MESSAGES FROM THE OTHER HOUSE

Bill concurred in by the Senate and returned to the House:

1/7/77

House Bill No. 1, introduced by Bardanouve

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 86, introduced by Kimble, Uhde, Vincent, Huennekens, Palmer, Fagg. Referred to Committee on State Administration.

HB 87, introduced by Day, (By Request of County Treasurers Association). Referred to Committee on Highways and Transportation.

HB 88, introduced by Day, (By Request of County Treasurers Association). Referred to Committee on Taxation.

HB 89, introduced by Day, (By Request of County Treasurers Association). Referred to Committee on Taxation.

HB 90, introduced by Robbins, Gilligan, Bertelsen. Referred to Committee on State Administration.

HB 91, introduced by Robbins, Gilligan, O'Connell. Referred to Committee on Judiciary.

HB 92, introduced by Robbins, Gilligan. Referred to Committee on Judiciary.

HB 93, introduced by Underdal, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 94, introduced by Underdal, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 95, introduced by Fagg, Williams, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 96, introduced by Fagg, Williams, (By Request of the Department of Revenue). Referred to Committee on State Administration.

HB 97, introduced by Hirsch, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 98, introduced by Fabrega, Bertelsen, Ellis, South, Staigmillier, Scully, Menahan, Lynch, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 99, introduced by Hirsch, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 100, introduced by Harrington, Lien, Huennekens, Courtney, Lynch, Hirsch, Cooney, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 101, introduced by Harrington, Lien, Huennekens, Hirsch, Courtney, Cooney, Lynch, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 102, introduced by O'Keefe, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 103, introduced by Bertelsen, Ellis, Fabrega, (By Request of the Department of Revenue). Referred to Committee on Business and Industry.

HB 104, introduced by Bertelsen, Fagg, Kropp, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 105, introduced by Fabrega, Ellis, Bertelsen, South, Scully, (By Request of the Department of Revenue). Referred to Committee on Appropriations.

HB 106, introduced by Waldron, (By Request of the Department of Revenue). Referred to Committee on Taxation.

House recessed subject to the call of the Chair.

House resumed at 4:15 p.m.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Correctly enrolled - HB 1.

1/7/77

Examined by sponsor and found to be correct - HB 1.

1/7/77

Speaker signed in open session HB 1.

BILLS (Quilici, Chairman):

1/7/77

Delivered to Governor at 4:25 p.m., January 7, 1977, for approval - HB 1.

Meloy moved that the House adjourn until 10:00 a.m., January 8, 1977.

Motion carried.

House adjourned at 4:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SIXTH LEGISLATIVE DAY

Helena, Montana  
January 8, 1977

House Chambers  
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Colburn, Courtney, Cox, Harrington, Kanduch, Kennerly, Menahan, Mular, Teague, Tower, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 1/8/77  
Correctly printed - HB 13, HB 18, HB 20, HB 26.

APPROPRIATIONS (Bardanouve, Chairman): 1/8/77  
HJR 6, do pass. Report adopted.

### MOTIONS

Meloy moved that the rules be suspended and that HJR 6 be placed on Second Reading today. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 107, introduced by Uhde, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 108, introduced by Severson, Williams, Gerke, Wyrick, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 109, introduced by Brand, Menahan, Lynch. Referred to Committee on State Administration.

HB 110, introduced by Brand, J. Gunderson, Staigmiller. Referred to Committee on Business and Industry.

HB 111, introduced by Dassinger, Severson, (By Request of the Department of Revenue). Referred to Committee on Natural Resources.

HB 112, introduced by Gould, Porter, Fabrega, Johnston, Kropp, Hurwitz, Ellis, Barrett, Vinger, Ellison, Jensen, Lory, Ellerd, Marks, Ernst, Eudaily, Seifert, Wood, Ramirez, Kvaalen, Ageson, Smith, Underdal, Bertelsen, Wyrick, Severson. Referred to Committee on Labor and Employment Relations.

HB 113, introduced by Ellis, Bertelsen, Lynch, Kanduch, Gould, Stobie, Dussault, Fabrega, Davis, Uhde, Eudaily, Waldron, Halvorson, Wood. Referred to Committee on Taxation.

HB 114, introduced by Brand. Referred to Committee on Public Health, Welfare and Safety.

HB 115, introduced by Brand, W. Baeth, Ryan. Referred to Committee on Taxation.

HB 116, introduced by Bradley, Meloy, Staigmiller, Ellis. Referred to Committee on Judiciary.

HB 117, introduced by Brand, Menahan, Scully, Kvaalen, Aageson. Referred to Committee on Judiciary.

HB 118, introduced by Burnett, Moore, Seifert. Referred to Committee on State Administration.

HB 119, introduced by Bradley, Dussault, Menahan, Aageson, Shelden, Vincent, Bengtson. Referred to Committee on Education.

HB 120, introduced by Marks, Moore. Referred to Committee on Appropriations.

HB 121, introduced by Driscoll. Referred to Committee on Judiciary.

HB 122, introduced by Gerke, Driscoll, Robbins, South, Hurwitz, O'Connell, Halvorson, Meloy, Waldron. Referred to Committee on Local Government.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 6 do pass. (89-0)

That the committee rise and report. (Gerke, Chairman) Report adopted.

## MOTIONS

Meloy moved that the rules be suspended and that HJR 6 be placed on Third Reading today. Motion carried.

## THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Joint Resolution No. 6 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Burnett, Colburn, Courtney, Cox, Harrington, Kanduch, Kennerly, Menahan, Mular, Teague, Tower.

Total 11

Absent or not voting: None.

Total 0

Meloy moved that the House adjourn until 1:30 p.m., January 10, 1977.

Motion carried.

House adjourned at 10:25 a.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## SEVENTH LEGISLATIVE DAY

Helena, Montana  
January 10, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father William Greytak, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Stobie, Mular, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

Invitation dated January 7, 1977 from B. "Pete" Dunbar, President, MSU-ASA, to entire House of Representatives to attend the awards banquet honoring "The Fighting Bobcats".

The Standing Committee Assignments as of January 7, 1977, are as follows:

#### STANDING COMMITTEE ASSIGNMENTS HOUSE OF REPRESENTATIVES 1977 SESSION Revised January 7, 1977

AGRICULTURE, LIVESTOCK AND IRRIGATION (14) — Day, Chairman; Bengtson, Vice-Chairman; Brand, Conroy, Dassinger, J. Gunderson, Johnston, Staigmilller, Curtiss, Ellerd, Davis, McLane, Severson, Smith. Room 434 — 3:30 to 6:00, Tuesday and Thursday.

APPROPRIATIONS (17) — Bardanouve, Chairman; Gerke, Vice-Chairman; Bradley, Estenson, J. Gunderson, Halvorson, Hansen, Lynch, Manuel, South, Aageson, Ellis, Kvaalen, Lund, Marks, Moore, Wood. Room 225 — 8:00 to 12:00, Monday through Friday.

BUSINESS AND INDUSTRY (17) — Vincent, Chairman; Quilici, Vice-Chairman; Bradley, Harper, Harrington, Kenny, Metcalf, Scully, Shelden, Tropila, Aageson, Burnett, Ellison, Fabrega, Fagg, Nathe, Tower. Room 434 — 3:30 to 6:00, Monday, Wednesday, Friday.

EDUCATION (15) — Dussault, Chairman; Gilligan, Vice-Chairman; Courtney, Estenson, J. Gunderson, Hand, Kennerly, Kessler, Uhde, Barrett, Eudaily, Kvaalen, Lory, Lund, Meyer. Room 431 — 3:30 to 6:00, Monday, Wednesday, Friday.

FISH AND GAME (11) — Staigmilller, Chairman; R. Baeth, Vice-Chairman; Conroy, Courtney, Johnston, Manuel, Tropila, Barrett, Ellis, Ellison, Seifert. Room 434 — 11:00 to 12:30, Tuesday and Thursday.

HIGHWAYS AND TRANSPORTATION (13) — W. Baeth, Chairman; Kanduch, Vice-Chairman; Frates, Hansen, Mular, Pistoria, Tropila, Ernst, Keyser, Kropp, O'Keefe, Underdal, Wood. Room 436 — 3:30 to 6:00, Tuesday and Thursday.

JUDICIARY (18) — Scully, Chairman; Teague, Vice-Chairman; Day, Montana Water Subcommittee Chairman; W. Baeth, Colburn, Conroy, Courtney, Dussault, Hand, Holmes, Kennerly, Eudaily, Keyser, Lory,

McLane, Ramirez, Roth, Seifert. Room 436 — 8:00 to 12:00, Monday through Friday.

LABOR AND EMPLOYMENT RELATIONS (13) — Kimble, Chairman; Williams, Vice-Chairman; R. Baeth, Brand, Dassinger, Kanduch, Lynch, Teague, Ellerd, Porter, Sivertsen, Turner, Wyrick. Room 428A — 3:30 to 6:00, Monday, Wednesday, Friday.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (5) — Quilici, Chairman; E. Gunderson, Vice-Chairman; Kessler, Lund, Lory.

LOCAL GOVERNMENT (18) — Robbins, Chairman; O'Connell, Vice-Chairman; Colburn, Gerke, E. Gunderson, Halvorson, Palmer, Pistoria, South, Waldron, Bertelsen, Gould, Hurwitz, Jensen, Ramirez, Roth, Stobie, Vinger. Room 437 — 3:30 to 6:00, Monday, Wednesday, Friday.

NATURAL RESOURCES (17) — Shelden, Chairman; Harper, Vice-Chairman; Bengtson, Cooney, Frates, Hirsch, Huennekens, Kessler, Metcalf, Quilici, Burnett, Cox, Curtiss, Davis, Ernst, Hurwitz, Nathe. Room 437 — 10:00 a.m. to 12:00, Monday through Friday.

PUBLIC HEALTH, WELFARE AND SAFETY (20) — Menahan, Chairman; Holmes, Vice-Chairman; Palmer, Problems of Elderly Subcommittee Chairman; Colburn, Cooney, E. Gunderson, Harper, Kenny, Kimble, Lynch, Metcalf, Ryan, Cox, Fedá, Gould, Jensen, Porter, Stobie, Vinger, Wyrick. Room 431 — 3:30 to 6:00, Tuesday and Thursday.

RULES (9) — Meloy, Chairman; Driscoll, Bradley, Brand, Bardanouve, Marks, Moore, Fagg, Kvaalen.

STATE ADMINISTRATION (15) — Brand, Chairman; Lien, Vice-Chairman; Bardanouve, Kanduch, Menahan, Mular, O'Connell, Robbins, Ryan, Fedá, Kropp, Meyer, Smith, Tower, Turner. Room 431 — 10:00 to 12:00, Monday through Friday.

TAXATION (17) — Huennekens, Chairman; Dassinger, Vice-Chairman; Gilligan, Harrington, Hirsch, Lien, Uhde, Vincent, Waldron, Williams, Bertelsen, Fabrega, Fagg, O'Keefe, Severson, Sivertsen, Underdal. Room 434 — 8:00 to 12:00, Monday through Friday.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION — South, Chairman; Moore, Kvaalen, Halvorson. Room 132 — 8:00, Monday through Friday.

APPROPRIATIONS SUBCOMMITTEE ON ELECTED OFFICIALS — Lynch, Chairman; Wood, J. Gunderson. Room 428A - 8:00, Monday through Friday.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES (Agency I) — Bradley, Chairperson; Marks, J. Gunderson. Room 431 — 8:00, Monday through Friday.

APPROPRIATIONS SUBCOMMITTEE ON INSTITUTIONS — Gerke, Chairman; Lund, Ellis, Hansen. Room 225B 8:00, Monday through Friday.

APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE BUILDING — South, Chairman; Kvaalen, Lund, Halvorson. Room 225 — 8:00, on call.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND BUSINESS REGULATION (Agency II) — Manuel, Chairman; Estenson, Aageson. Room 343 — 8:00, Monday through Friday.

JUDICIARY SUBCOMMITTEE ON MONTANA WATER — Day, Chairman; Scully, Kimble, Dassinger, Mular, Halvorson, Hand, W. Baeth,

Bengtson, Dussault, Lory, Nathe, Ellison, Curtiss, Ramirez, Roth. Room 436 — 10:00 to 12:00, Tuesday and Thursday.

PUBLIC HEALTH SUBCOMMITTEE ON PROBLEMS OF THE ELDERLY — Palmer, Chairman; Kimble, Metcalf, Gould, Porter. Room 437 — 8:00 to 10:00, Tuesday and Thursday.

### REPORTS OF STANDING COMMITTEES

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

1/10/77

Respectfully recommend the following attaches be approved by this Body per meeting minutes of January 4, 1977, effective that date:

Jeniffer Jane Jones .....	Researcher I, for State Administration
Charlotte Ellen Solan .....	Researcher I, for Public Health
Beverly A. Soules .....	Permanent Page, for the Minority Leader
Joseph Langenfus .....	Doorman
Loren Wayne Gunderson .....	Parking Attendant
Robert Peterson .....	Guard
Joseph Mehrens .....	Guard
William Joseph Mattix .....	Guard

#### Reclassification of:

Cynthia Sangray, from Steno Pool to Committee Secretary for Business and Industry

Anita Sierke, from Steno Pool to Committee Secretary for State Administration

Pages: (for week of January 10, 1977)

Rita R. Balock

Gary R. Gilham

Steven W. Hansen

Teena S. Linderman

Peri Rankin

Mary R. Steffek

Bill E. Hartnett

Report adopted.

#### STATE ADMINISTRATION (Brand, Chairman):

1/8/77

HB 21, do pass. Report adopted.

HB 23, do pass. Report adopted.

HB 24, do pass. Report adopted.

HB 32, do pass. Report adopted.

HB 34, do pass. Report adopted.

HB 35, do pass. Report adopted.

HB 37, do pass. Report adopted.

HB 33, introduced bill, be amended as follows:

1. Amend page 2, section 1, subsection 6, line 19.

Following: "the"

Strike: "following"

Following: "requirement"

Strike: ".,"

Insert: "prescribed in 68-1607 and 68-1608."

2. Amend page 2, section 1, subsection 6.

Following: line 20

Strike: lines 21 through 25 in their entirety.

3. Amend page 3, section 1, subsection 6.

Strike: lines 1 through 8 in their entirety.



And as amended, do pass. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence:  
1/10/77

Senate Joint Resolution No. 1, introduced by Murphy

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 123, introduced by Sivertsen, Robbins, Bertelsen. Referred to Committee on State Administration.

HB 124, introduced by Sivertsen, Robbins, Bertelsen. Referred to Committee on State Administration.

HB 125, introduced by Waldron, Uhde, Courtney, J. Gunderson, Palmer, Lynch, Cooney, Kessler, Underdal, Lory, Ellis. Referred to Committee on Highways and Transportation.

HB 126, introduced by Eudaily, Ellis, Gould, Staigmilller, Frates, Johnston. Referred to Committee on Fish and Game.

HB 127, introduced by Harrington, Cooney, Courtney, Lynch, Menahan, Johnston, Huennekens, Teague. Referred to Committee on Fish and Game.

HB 128, introduced by Moore, Fabrega, Seifert, Meyer, Smith, Tropila, Kropp. Referred to Committee on Appropriations.

The following Senate bill was introduced, read first time and referred to committee:

SJR 1, introduced by Murphy, Stephens. Referred to Committee on Rules.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Fagg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 13 do pass. (96-0)

That HB 18 do pass. (96-0)

That HB 20 do pass. (94-0)

That HB 26 do pass. (97-0)

That the committee rise and report. (Fagg, Chairman) Report adopted.

### MOTIONS

Scully moved that HB 84 be rereferred from the Committee on Judiciary to the Committee on Fish and Game. Motion carried.

Scully moved that HB 81 be rereferred from the Committee on Public



Health, Welfare and Safety to the Committee on Judiciary. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., January 11, 1977.

Motion carried.

House adjourned at 2:05 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## EIGHTH LEGISLATIVE DAY

Helena, Montana  
January 11, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 1/11/77  
Correctly printed - HB 21, HB 23, HB 24, HB 32, HB 34, HB 35, HB 37.

Considered correctly engrossed - HB 13, HB 18, HB 20, HB 26.

JUDICIARY (Scully, Chairman):  
HB 14, introduced bill, be amended as follows: 1/10/77

1. Amend page 20, section 11, subsection (5), line 21.

Following: "(and)"

Strike: "or"

Insert: "and"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 27, introduced bill, be amended as follows: 1/10/77

1. Amend page 1, section 1, line 17.

Following: "(shall form)"

Strike: "forms"

Insert: "is"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 36, do pass. Report adopted. 1/10/77

HB 53, do pass. Report adopted. 1/11/77

LOCAL GOVERNMENT (Robbins, Chairman): 1/10/77  
HB 2, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 20.

Following: "park"

Insert: ", recreational grounds,"

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 1/10/77  
HB 16, introduced bill, be amended as follows:

1. Amend page 3, section 5, lines 12 and 13.

Following: "any"

Strike: "state park, recreational area, monument, or historical site"

Insert: "land or property under control of the commission"

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 1/10/77

HB 15, do pass. Report adopted.

JUDICIARY (Scully, Chairman):

HJR 2, introduced bill, be amended as follows: 1/10/77

1. Amend page 2, line 1.

Following: "report"

Insert: "prepared by the court administrator"

And as amended, do pass. Report adopted.

HJR 3, do pass. Report adopted. 1/10/77

HJR 5, do pass. Report adopted. 1/11/77

STATE ADMINISTRATION (Lien, Vice-Chairman): 1/11/77

HB 12, do pass. Report adopted.

HB 38, do pass. Report adopted.

HB 57, do pass. Report adopted.

HB 62, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 1/11/77

HB 73, do pass. Report adopted.

HB 74, do pass. Report adopted.

### MESSAGES FROM THE GOVERNOR

January 10, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I approved House Bill No. 1 on January 7, 1977.

Sincerely,

THOMAS L. JUDGE  
Governor

January 10, 1977

Honorable John Brian Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Speaker Driscoll:

In accordance with Section 94-9849, Revised Codes of Montana, 1947, I am transmitting the enclosed list of acts of Executive Clemency, covering the period from January 1, 1975 to January 1, 1977.

Sincerely,

THOMAS L. JUDGE  
Governor



ACTS OF EXECUTIVE CLEMENCY — COVERING THE PERIOD  
January 1, 1975 — January 1, 1977

Case No. 3052. Elroy Birkeland, who on the 11th day of March, 1965, was sentenced to eighteen months with all suspended but thirty days for the crime of Burglary in the 1st Degree, was granted full pardon and restoration of all civil rights on the 6th day of January, 1975.

Case No. 3053. Robert C. Chittick, who on the 20th day of April, 1954, was sentenced to twenty years for the crime of Infamous Crime Against Nature, was granted a full pardon and restoration of all civil rights on the 11th day of February, 1975.

Case No. 3054. Robert C. Chittick, who on the 8th day of July, 1949, was sentenced to five years for the crime of Assault in the Second Degree, was granted full pardon and restoration of all civil rights on the 11th day of February, 1975.

Case No. 3055. Patrick Ronald McDonald, who on the 7th day of May, 1968, was sentenced to three years for the crime of Extortion and said sentence was suspended, was granted full pardon and restoration of all civil rights on the 4th day of March, 1975.

Case No. 3056. William F. Valzure, II, a/k/a Thomas Edward Maynard, who on the 21st day of April, 1960, was sentenced to five years for the crime of Forgery, was granted a full pardon and restoration of all civil rights on the 5th day of May, 1975.

Case No. 3057. Donald Keith Bartholomaus, who on the 23rd day of November, 1960, was sentenced to two years for the crime of Forgery, was granted a full pardon and restoration of all civil rights on the 5th day of May, 1975.

Case No. 3058. Norman Leo McGillis, who on the 13th day of November, 1951, was sentenced to five years for the crime of Grand Larceny, was granted a full pardon and restoration of all civil rights on the 4th day of August, 1975.

Case No. 3059. Norman Leo McGillis, who on the 12th day of April, 1954, was sentenced to one year for the crime of Escape from the Montana State Prison, was granted full pardon and restoration of all civil rights on the 4th day of August, 1975.

Case No. 3060. Rodney Allen Stuker, who on the 8th day of March, 1960, was sentenced to two years for the crime of Malicious Destruction of Property, was granted a full pardon and restoration of all civil rights on the 15th day of August, 1975.

Case No. 3061. Rodney Stuker, who on the 30th day of January, 1961, was sentenced to seven years for the crime of Burglary in the First Degree, was granted a full pardon and restoration of all civil rights on the 15th day of August, 1975.

Case No. 3062. Louis A. Goulet, who on the 22nd day of May, 1957, was sentenced to two and one-half years for the crime of Grand Larceny, was granted a full pardon and restoration of all civil rights on the 15th day of August, 1975.

Case No. 3063. Robert Edward Horn, who on the 18th day of July, 1961, was sentenced to two years for the crime of Assault in the Second Degree, was granted a full pardon and restoration of all civil rights on the 28th day of August, 1975.

Case No. 3064. James Freese, who on the 25th day of March, 1960, was sentenced to one year for the crime of Burglary in the First Degree, was granted a full pardon and restoration of all civil rights on the 28th day of August, 1975.

Case No. 3065. Robert Parks, who on the 1st day of October, 1951, was sentenced to five years and said sentence was suspended. Suspended sentence was later revoked and went to prison on July 23, 1952, and said sentence was commuted to three years on February 10, 1954, for the crime of Burglary was granted a full pardon and restoration of all civil rights on the 28th day of August, 1975.

Case No. 3066. David Clinton Walters, who on the 3rd day of November, 1965, was sentenced to Life for the crime of Murder, was denied a Commutation of Sentence from Life to Forty (40) years on the 1st day of December, 1975.

Case No. 3067. George S. McClammy, who on the 3rd day of May, 1951, was sentenced to one year for the crime of Grand Larceny, was granted full pardon and restoration of all civil rights on the 11th day of December, 1975.

Case No. 3068. Grace T. (Palmer) Oldham, who on the 12th day of March, 1957, was sentenced to two years and said sentence was suspended for the crime of Misappropriation of Petty Cash Fund, was granted full pardon and restoration of all civil rights on the 12th day of March, 1976.

Case No. 3069. James Frederick Early, who on the 2nd day of August, 1939, was sentenced to five years for the crime of Robbery, was granted full pardon and restoration of all civil rights on the 12th day of March, 1976.

Case No. 3070. Orville G. McManus, who on the 11th day of February, 1947, was sentenced to Natural Life for the crime of Murder, was granted a Commutation of Sentence from Natural Life to Twenty-eight (28) years on the 12th day of March, 1976.

Case No. 3073. Clarence Gilham, who on the 2nd day of December, 1937, was sentenced to three years and said sentence was suspended for the crime of Grand Larceny, was granted full pardon and restoration of all civil rights on the 19th day of May, 1976.

Case No. 3074. Joseph Niece, who on the 28th day of January, 1965, was sentenced to five years for the crime of Involuntary Manslaughter, was granted a full pardon and restoration of all civil rights on the 20th day of May, 1976.

Case No. 3075. Gary Patrick Maddio, who on the 15th day of October, 1970, was sentenced to two years for the crime of Carrying a Concealed Weapon, was granted a full pardon and restoration of all civil rights on the 20th day of May, 1976.

Case No. 3076. Joe Bakker, who on the 1st day of April, 1965, was sentenced to two years and said sentence was suspended for the crime of Second Degree Assault, was granted a full pardon and restoration of all civil rights on the 25th day of June, 1976.

Case No. 3077. Harold H. Draine, Jr., who on the 22nd day of August, 1972, was sentenced to one year, with the last eleven months suspended, for the crime of Possession of Narcotics, was granted a full pardon and restoration of all civil rights on the 25th day of June, 1976.

Case No. 3078. Robert Church, who on the 1st day of May, 1950, was sentenced to one year for the crime of Burglary in the Second Degree, was granted a full pardon and restoration of all civil rights on the 1st day of July, 1976.

Case No. 3079. Richard T. Danell, who on the 10th day of February, 1960, was sentenced to fifteen years for the crime of Rape, was granted a full pardon and restoration of all civil rights on the 1st day of July, 1976.

Case No. 3081. Ira L. Park, who on the 13th day of December, 1951, was sentenced to one year in Montana State Prison, which sentence was thereafter suspended for the crime of Grand Larceny, was granted a full pardon and restoration of all civil rights on the 20th day of December, 1976.

### MOTIONS

Meloy moved that the rules be suspended and the following bills be placed on Second Reading today: HB 21, HB 23, HB 24, HB 32, HB 34, HB 35, HB 37. Motion carried.

Meloy moved that the rules be suspended and the following bills be placed on Third Reading today: HB 13, HB 18, HB 20, HB 26. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 129, introduced by Keyser, Aageson, Hand, Scully. Referred to Committee on State Administration.

HB 130, introduced by Moore, Bardanouve. Referred to Committee on Education.

HB 131, introduced by Lund, Brand. Referred to Committee on Highways and Transportation.

HB 132, introduced by Manuel, Gerke, Vincent, Halvorson, Johnston, Williams, Colburn, Kimble, Pistoria, Bardanouve, Harrington, Courtney, Bradley, Lynch, W. Baeth, Shelden, Palmer, Menahan, Holmes, Dussault, Driscoll, Teague, J. Gunderson. Referred to Committee on Business and Industry.

HB 133, introduced by Johnston, Moore, Lien, Conroy, Staigmillier, Ellerd, Smith, Marks, Fagg. Referred to Committee on State Administration.

HB 134, introduced by Conroy, Johnston, Sivertsen, Staigmillier, Aageson, Lynch, Smith, Menahan, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 135, introduced by Conroy, Ellerd, Davis, Johnston, Aageson, Staigmillier, Smith, Menahan, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 136, introduced by Conroy, Ellerd, Davis, Johnston, Sivertsen, Staigmillier, Lynch, Aageson, Smith, Menahan, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 137, introduced by Kvaalen, Menahan, Fabrega. Referred to Committee on State Administration.

HB 138, introduced by Pistoria, Staigmillier. Referred to the Committee on Fish and Game.

HB 139, introduced by Lynch, Quilici, Dussault, O'Connell, Mular, Cooney, Kenny, Tropila, Gilligan, Holmes, Meloy, Kanduch, Vincent,



Huennekens, Menahan, Harrington, Courtney, Ellis, Scully, Conroy, Ageson, Teague, Ryan, Hand, Wyrick, Seifert, Ernst, Kimble, Halvorson, Brand, Lien, Estenson, Palmer, Feda, Vinger, Harper, Manuel, Pistoria, Sivertsen, Keyser, Tower, J. Gunderson, Shelden. Referred to Committee on Natural Resources.

HB 140, introduced by Lynch, Quilici, Mular, Meloy, Harrington. Referred to Committee on Appropriations.

HB 141, introduced by Huennekens, Lynch, Frates, Meloy, Vincent, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 142, introduced by Huennekens, Lory. Referred to Committee on Appropriations.

HB 143, introduced by Driscoll, Meloy. Referred to Committee on Appropriations.

HB 144, introduced by Driscoll, Meloy. Referred to Committee on Appropriations.

HB 145, introduced by Driscoll, Meloy. Referred to Committee on Appropriations.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Dussault in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 21 do pass. (93-1)

That HB 23 do pass. (96-0)

That HB 24 be amended as follows:

1. Amend page 6, section 5, line 12.

Following: "marked,"

Strike: "proposals for furnishing supplies,"

Insert: "in accordance with the terms of the solicitation for bid"

2. Amend page 7, section 5, line 2.

Following: "proposal,"

Reinsert: ", "

Insert: "or a bid bond issued by a licensed surety company,"

3. Amend page 7, section 5, line 6.

Following: "and the"

Insert: "performance"

4. Amend page 7, section 5.

Following: line 6

Insert: "is"

Following: "if a"

Insert: "performance"

5. Amend page 7, section 5, line 8.

Following: "supplies"

Strike: "to the agencies and institutions for which they are purchased"

Insert: "in accordance with the terms of the solicitation for bid" (96-0)



And as amended, consideration be passed for the day.

That HB 32 do pass. (95-0)

That HB 34 do pass. (95-0)

That HB 35 do pass. (95-0)

That HB 37 do pass. (92-0)

That the committee rise and report. (Dussault, Chairman) Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 13 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Burnett.

Total 1

Absent or not voting: Brand.

Total 1

House Bill No. 18 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Burnett.

Total 1

Absent or not voting: Brand.

Total 1

House Bill No. 20 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Burnett.

Total 1

Absent or not voting: Brand.

Total 1

House Bill No. 26 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Burnett.

Total 1

Absent or not voting: Brand, Sivertsen.

Total 2

## MOTIONS

Meloy moved that HB 122 be rereferred from the Committee on Labor and Employment Relations to the Committee on Local Government. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., January 12, 1977.

Motion carried.

House adjourned at 2:45 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## NINTH LEGISLATIVE DAY

Helena, Montana  
January 12, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Bengtson and Burnett, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Correctly printed - HB 33.	1/11/77
Correctly printed - HB 2, HB 12, HB 14, HB 15, HB 16, HB 27, HB 36, HB 38, HB 53, HB 57, HB 62, HB 73, HB 74, HJR 2, HJR 3, HJR 5.	1/12/77
Considered correctly engrossed - HB 21, HB 23, HB 32, HB 34, HB 35, HB 37.	1/12/77

#### PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

HB 30, introduced bill, be amended as follows:

1/12/77

1. Amend title, line 8.

Following: "38-120,"

Strike: "38-210,"

2. Amend title, line 16.

Following: "sections"

Insert: "38-210,"

3. Amend page 2, section 3, line 17.

Following: line 16

Strike: section 3 in its entirety

Renumber: all subsequent sections

4. Amend page 89, section 54, line 18.

Following: "Sections"

Insert: "38-210,"

And as amended, do pass. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Concurred in as amended by the Senate and returned to the House for concurrence in Senate amendments:

1/11/77

House Joint Resolution No. 6, introduced by Quilici, Lund

### MOTIONS

Meloy moved that the rules be suspended and that the following bills be placed on Second Reading today: HB 27, HB 36, HB 38, HB 53, HB 57, HB 62, HB 73, and HB 74. Motion carried.

Meloy moved that the rules be suspended and that the following resolutions be placed on Second Reading today: HJR 2, HJR 3, and HJR 5. Motion carried.

Meloy moved that the rules be suspended and that the following bills be placed on Third Reading today: HB 21, HB 23, HB 32, HB 35, and HB 37. Motion carried.

Meloy moved that the House reconsider its action of the previous Legislative Day taken on HB 34 on Second Reading. Motion carried.

Meloy moved that HB 34 be placed on Second Reading for consideration today. Motion carried.

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following bills were introduced, read first time and referred to committees:

HB 146, introduced by Gerke, Scully, Ellerd, Kessler, Hansen, Moore, Williams, Huennekens, Staigmilller, Fagg, Porter, Ramirez, Colburn, McLane, Frates, Lynch, Quilici, J. Gunderson. Referred to Committee on Business and Industry.

HB 147, introduced by Scully, Bradley, Vincent, Ellerd, Davis. Referred to Committee on State Administration.

HB 148, introduced by Ellerd, Bertelsen, Curtiss, Roth, Turner, Johnston, Manuel, Marks, Davis, Conroy, Sivertsen, Smith, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 149, introduced by Quilici, Lynch, Harrington, Mular, Moore, Brand, Menahan, Fagg, Courtney, (By Request of Department of State Lands). Referred to Committee on Natural Resources.

HB 150, introduced by Bradley, Fagg. Referred to Committee on State Administration.

HB 151, introduced by Vincent, Meloy, Huennekens, Bradley, Waldron, Harrington, Courtney, Estenson, Kimble, Holmes, Palmer, Cooney, Fabrega, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HB 152, introduced by Lien, Ellerd, Conroy, Hirsch, Dassinger, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 153, introduced by Lien, Conroy, Dassinger, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 154, introduced by Keyser, Sivertsen, Hansen, Conroy. Referred to Committee on Education.

HB 155, introduced by Driscoll, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HB 156, introduced by Driscoll, (Requested by the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

HJR 1, introduced by Mular, Kimble, Day, Quilici, Robbins, Bengtson, Kessler, Estenson, Ryan, Moore, Wood, Feda, Lynch, Harrington, Lien, Kanduch, Gilligan, Fagg, Underdal, E. Gunderson, Kenny, Teague, J. Gunderson, Hirsch, Manuel, Lund, Gerke, Hand, Johnston, R. Baeth, Curtiss, Staigmilller, Smith, Kropp, Wyrick, Ernst, Metcalf, Waldron, Marks, Huennekens. Referred to Judiciary Subcommittee on Montana Water.

### **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the

Whole, for the consideration of business on Second Reading. Motion carried.

Scully in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 24 do pass. (95-0)

That HB 33 do pass. (95-0)

That HB 27 do pass. (95-0)

That HB 36 do pass. (95-0)

That HB 38 do pass. (95-0)

That HB 53 do pass. (95-0)

That HB 57 do pass. (96-1)

That HB 62 do pass. (96-0)

That HB 74 do pass. (94-3)

That HB 73 do pass. (87-11)

That HB 34 be amended as follows:

1. Amend page 36, section 10, line 15.

Following: "retirement"

Strike: "board"

Insert: "system" (96-0)

2. Amend page 36.

Following: line 18

Insert: "Section 11. Section 75-6216, R.C.M. 1947, is amended to read as follows:

'75-6216. Guarantee by state. Regular interest charges payable, the creation and maintenance of reserves in the pension accumulation fund, and the maintenance of annuity reserves in the annuity reserve fund (and of pension reserves in the pension reserve fund), as provided for in this (Title) title, and the payment of all annuities, pensions, refunds, and other benefits granted under the retirement system are (hereby made) obligations of the state of Montana."

Renumber: subsequent section (94-0)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (94-0)

That HJR 2 do pass. (93-1)

That HJR 3 do pass. (93-1)

That HJR 5 do pass. (94-0)

That Senate amendments to HJR 6 be concurred in. (92-6)

That the committee rise and report. (Scully, Chairman) Report adopted.

## MOTIONS

Meloy moved that the rules be suspended and that Senate amendments to HJR 6 be placed on Third Reading this day. Motion carried.



**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 21 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Vincent.

Total 1

Excused: Bengtson, Burnett.

Total 2

Absent or not voting: Kimble.

Total 1

House Bill No. 23 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Bengtson, Burnett.

Total 2

Absent or not voting: Kimble.

Total 1

House Bill No. 32 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington,



Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 98

Noes: None.  
Total 0

Excused: Bengtson, Burnett.  
Total 2

Absent or not voting: None.  
Total 0

House Bill No. 35 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 98

Noes: None.  
Total 0

Excused: Bengtson, Burnett.  
Total 2

Absent or not voting: None.  
Total 0

House Bill No. 37 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 98

Noes: None.

Total 0

Excused: Bengtson, Burnett.

Total 2

Absent or not voting: None.

Total 0

Senate Amendments to House Joint Resolution No. 6 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Turner.

Total 1

Excused: Bengtson, Burnett.

Total 2

Absent or not voting: None.

Total 0

Meloy moved that the House adjourn until 1:30 p.m., January 13, 1977.

Motion carried.

House adjourned at 3:25 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## TENTH LEGISLATIVE DAY

Helena, Montana  
January 13, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellis, Gerke, Hansen, Lund, Wood, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 1/13/77

Considered correctly engrossed - HB 27, HB 36, HB 38, HB 53,  
HB 62, HB 73, HB 74, HB 33, HB 57, HJR 2, HJR 3, HJR 5.

Correctly engrossed - HB 24, HB 34.

Correctly enrolled - HJR 6.

Will be signed on adjournment January 13, 1977 - HJR 6.

Examined by sponsor and found to be correct - HJR 6. 1/13/77

FISH AND GAME (Staigmilller, Chairman): 1/13/77

HB 44, introduced bill, be amended as follows:

1. Amend page 5, section 5, lines 5 and 6.

Following: "A"

Strike: "fishing or hunting"

2. Amend page 5, section 6, line 25.

Following: "unlawful"

Insert: "—exemptions for minors from license requirements"

3. Amend page 16, section 12, line 8.

Following: "this"

Strike: "type of"

4. Amend page 41, section 34, line 21.

Following: "26-921"

Insert: "and 26-907"

5. Amend page 54, section 48, lines 23 and 24.

Following: "revoked."

Strike: "The revocation is to be in addition to any other punishment provided by law."

And as amended, do pass. Report adopted.

HB 76, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 1/13/77

HB 93, do pass. Report adopted.

HB 94, do pass. Report adopted.

HB 95, do pass. Report adopted.

HB 99, do pass. Report adopted.

HB 100, do pass. Report adopted.

HB 104, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 1/13/77  
 HB 90, introduced bill, be amended as follows:

1. Amend page 4, section 2, subsection (h), line 17.  
 Following: "state's"  
 Insert: "citizenry, and to represent the state in structural"

And as amended, do pass. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman): 1/13/77  
 HB 17, do pass. Report adopted  
 HB 42, do pass. Report adopted.

EDUCATION (Dussault, Chairman): 1/13/77  
 HB 66, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 1/12/77  
 HB 97, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 12.  
 Following: "cement"  
 Insert: "and"

And as amended, do pass. Report adopted.

HB 101, do pass. Report adopted.  
 HB 47, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (3), lines 22 through 25.  
 Following: "expenses"  
 Strike: "allowed as a deduction under the provisions of section 214 of the Internal Revenue Code of 1954 in effect for taxable years beginning January 1, 1972, and ending March 29, 1975."  
 Insert: "determined in accordance with the provisions of section 214 of the Internal Revenue Code of 1954 that were in effect for the taxable year that began January 1, 1974."

And as amended, do pass. Report adopted.

EDUCATION (Dussault, Chairman): 1/13/77  
 HB 56, do not pass.

### MESSAGES FROM THE OTHER HOUSE

Bill passed by the Senate and transmitted to the House for concurrence. 1/12/77

Senate Bill No. 20, introduced by Hazelbaker

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

- HB 157, introduced by Waldron, (By Request of the Department of Revenue). Referred to Committee on Taxation.  
 HB 158, introduced by Waldron, Courtney, Kimble. Referred to Committee on Highways and Transportation.  
 HB 159, introduced by Waldron, Metcalf, Courtney. Referred to Committee on Highways and Transportation.  
 HB 160, introduced by Dussault. Referred to Committee on Appropriations.  
 HB 161, introduced by Estenson, Lynch, Harrington, Cooney, Mular, Palmer, Gilligan, Bengtson, Kessler, Hansen, Kanduch, Quilici,



Harper, Porter, Holmes, Kimble, Huennekens, E. Gunderson, Hirsch, Metcalf, Waldron, Menahan, Lory, Hand, Courtney, Ellis, Cox, Ryan, J. Gunderson, Gould, Eudaily. Referred to Committee on Appropriations.

HB 162, introduced by Lynch, Huennekens, Quilici, Mular, Staigmiller, Gilligan, Pistoria, Tropila, Menahan, Meloy, Scully, Kimble, Hurwitz, Fagg. Referred to Committee on Appropriations.

HB 163, introduced by Jensen, Robbins, (By Request of the Department of Business Regulation). Referred to Committee on Business and Industry.

HB 164, introduced by Harper, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 165, introduced by South. Referred to Committee on Judiciary.

HB 166, introduced by Lynch, Quilici, Harrington, Mular, Huennekens, Menahan. Referred to Committee on Taxation.

HB 167, introduced by Bertelsen, Ellerd, Sivertsen, Wyrick, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

HB 168, introduced by Moore, Johnston. Referred to Committee on Taxation.

HB 169, introduced by Harrington, Lynch, Vincent, Menahan, Cooney, Hirsch, Lien, Teague, Kenny, Johnston, Courtney, Estenson, Colburn, Keyser, Scully, Hansen, Eudaily, Waldron, Robbins, Ernst. Referred to Committee on Taxation.

HB 170, introduced by Menahan, Brand, Quilici, Mular, Gilligan, Lynch, Harrington. Referred to Committee on State Administration.

HJR 7, introduced by Johnston, Mular, Hand, Lien, Bertelsen, Underdal. Referred to Committee on State Administration.

The following Senate bill was introduced, read first time and referred to committee:

SB 20, introduced by Hazelbaker. Referred to Committee on Judiciary.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Aageson in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 2 do pass. (94-0)

That HB 12 do pass. (91-0)

That HB 14 do pass. (91-0)

That HB 15 do pass. (93-0)

That HB 16 do pass. (93-0)

That the committee rise and report. (Aageson, Chairman) Report adopted.

## MOTIONS

Marks moved that the record show that the Institutions Subcommittee

consisting of Gerke, Lund, Ellis, and Hansen are away on official business today. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., January 14, 1977.

Motion carried.

House adjourned at 2:10 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## ELEVENTH LEGISLATIVE DAY

Helena, Montana  
January 14, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellis, Gerke, Hansen, Lund, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Tenth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 1/14/77

Correctly printed - HB 17, HB 30, HB 42, HB 44, HB 47, HB 66, HB 76, HB 90, HB 93, HB 94, HB 95, HB 97, HB 99, HB 100, HB 101, HB 104.

Considered correctly engrossed - HB 2, HB 12, HB 14, HB 15, HB 16.

Was signed on adjournment January 13, 1977 - HJR 6. 1/13/77

JUDICIARY (Scully, Chairman):

HB 22, introduced bill, be amended as follows: 1/13/77

1. Amend title, line 5.

Following: "69-6104 to"

Strike: "extend validity of"

Insert: "clarify the law regarding"

2. Amend section 1, subsection (4), page 2, line 5.

Following: "(4)"

Strike: lines 5 and 6 in their entirety

Insert: "In case of sterilization of minors, the consent of the parents or guardian of the minor is required."

And as amended, do pass. Report adopted.

HB 28, introduced bill, be amended as follows: 1/12/77

1. Amend section 3, page 3, lines 9 through 11.

Following: "employment"

Strike: "he bags, carries, or transports beer for customers at a grocery store"

Insert: "it is necessary to possess alcoholic beverages"

2. Amend section 5, page 3, line 23.

Following: "title"

Strike: "sections 1 through 4 of this act,"

And as amended, do pass. Report adopted.

HB 29, introduced bill, be amended as follows: 1/12/77

1. Amend section 1, page 1, lines 15 and 16.

Following: "may"

Insert: "have in his possession, except as provided by the legislature, or"

Following: "consume"

Strike: "or have in his possession"

2. Amend section 3, page 1, lines 23 and 24.

Following: "title,"

Strike: "sections 1 and 2 of this act,"

3. Amend section 3, page 1, line 25.

Following: "for"

Strike: "the above amendment which would raise,"

Insert: "raising"

And as amended, do pass. Report adopted.

HB 39, do pass. Report adopted.

1/13/77

HB 72, do pass. Report adopted.

1/13/77

RULES (Meloy, Chairman):

1/14/77

SJR 1, introduced bill, be amended as follows:

1. Amend page 22, section 6-7, lines 17 and 18.

Following: "bills"

Insert: ", committee bills"

2. Amend page 23, section 6-7, line 2.

Following: "bills"

Insert: "and committee bills"

3. Amend page 23, section 6-7, line 3.

Strike: "twenty-fifth"

Insert: "thirtieth"

4. Amend page 43, section 8-8, lines 14 and 15.

Following: "include"

Strike: "only those newspapers available to the general public through newsstand distribution"

Insert: "the Associated Press, United Press International, Great Falls Tribune, Lee Newspapers, and other daily and weekly newspapers of general interest and circulation, including student newspapers from institutions of higher education"

And as amended, be concurred in. Report adopted.

## MOTIONS

Meloy moved that the 24-hour objection rule be extended until Monday, January 17, 1977, on HB 56 because Representative Gerke, the sponsor of the bill has been excused for the past two days. Motion carried.

## MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence:

1/13/77

Senate Bill No. 7, introduced by Blaylock

Senate Bill No. 10, introduced by Hazelbaker

Bills passed as amended by the Senate and transmitted to the House for concurrence:

1/13/77

Senate Bill No. 3, introduced by Blaylock

Senate Bill No. 8, introduced by Blaylock



## FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 171, introduced by Porter, O'Keefe, Jensen, McLane, Kenny, Feda, Vinger, Burnett, Colburn, Kessler. Referred to Committee on Business and Industry.

HB 172, introduced by Ellerd. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 173, introduced by Holmes, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 174, introduced by Holmes, Ellerd, Vincent, Huennekens, Burnett, Dussault, Waldron, Palmer, Kessler, Bradley, Gerke, Eudaily. Referred to Committee on Public Health, Welfare and Safety.

HB 175, introduced by Driscoll, (Legislative Audit Committee). Referred to Committee on State Administration.

HB 176, introduced by Menahan, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 177, introduced by Menahan, Lynch. Referred to Committee on State Administration.

HB 178, introduced by Harrington, Quilici, Courtney, Mular, Cooney, Lynch. Referred to Committee on State Administration.

HB 179, introduced by Burnett, Porter, Barrett. Referred to Committee on State Administration.

HB 180, introduced by Dassinger, Teague, Cox, Lynch, Quilici. Referred to Committee on Taxation.

HB 181, introduced by Ellerd, Scully, Bertelsen, Curtiss, Turner, Ellison, Wyrick, Kropp, Davis, Staigmilller, Hurwitz, Johnston, Conroy, Manuel, Smith, Sivertsen, Dassinger, Halvorson, Roth, Bengtson, Marks. Referred to Committee on State Administration.

HB 182, introduced by Meloy, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 183, introduced by Meloy, Lory, Estenson. Referred to Committee on State Administration.

HB 184, introduced by Palmer, Cooney, Kessler, Halvorson, Harrington, Kimble, E. Gunderson, Bengtson, Vincent, Estenson, Holmes. Referred to Committee on Public Health, Welfare and Safety.

HB 185, introduced by Keyser, Seifert, South. Referred to Committee on State Administration.

HB 186, introduced by Pistoria. Referred to Committee on Education.

HB 187, introduced by Pistoria, Frates, Teague, Kenny, O'Connell, Ryan. Referred to Committee on Local Government.

HJR 8, introduced by Bardanouve, South. Referred to Committee on State Administration.

HJR 9, introduced by Holmes. Referred to Committee on Public Health, Welfare and Safety.

HJR 10, introduced by Seifert, Ellison, Jensen, Eudaily, Ellis, Palmer, Uhde, Waldron, Lory, Bradley, Dussault, Wyrick, Gould. Referred to Committee on Highways and Transportation.

The following Senate bills were introduced, read first time and referred to committees:

SB 3, introduced by Blaylock. Referred to Committee on Education.

SB 7, introduced by Blaylock. Referred to Committee on Judiciary.

SB 8, introduced by Blaylock. Referred to Committee on Public Health, Welfare and Safety.

SB 10, introduced by Hazelbaker. Referred to Committee on Highways and Transportation.

### MOTIONS

Marks moved that the record show that the Institutions Subcommittee consisting of Gerke, Lund, Ellis, and Hansen are away on official business today. Motion carried.

Meloy moved that the rules be suspended and that the following bills be placed on Second Reading today: HB 17, HB 30, HB 42, HB 44, HB 76, and HB 90. Motion carried.

Meloy moved on behalf of the sponsor of HB 90 that consideration of HB 90 be postponed until Wednesday, January 19, 1977. Motion carried.

Meloy moved that the rules be suspended and that the following bills be placed on Third Reading today: HB 12, HB 15, and HB 16. Motion carried.

Meloy moved that a rule be adopted limiting debate on Second Reading to five minutes per member. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Menahan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 17 do pass. (92-0)

That HB 30 do pass. (88-0)

That HB 42 do pass. (90-3)

That HB 44 do pass. (92-0)

That HB 76 do not pass. (60-30)

That the committee rise and report. (Menahan, Chairman) Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 24 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Bardanouve, South.

Total 2

House Bill No. 27 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: None.

Total 0

House Bill No. 33 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Cox.

Total 1

House Bill No. 36 was passed by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Cox, Jensen, Pistoria, Sivertsen.

Total 4

House Bill No. 38 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Cox, Ellison, Sivertsen.

Total 3

House Bill No. 53 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 94

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Cox, Sivertsen.

Total 2

House Bill No. 62 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Brand.

Total 1

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Sivertsen.

Total 1

House Joint Resolution No. 2 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Smith, Stobie.

Total 2

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Hand, Sivertsen.

Total 2

House Joint Resolution No. 3 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson,

Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 87

Noes: Burnett, Ellerd, Manuel, Moore, Smith, Tower, Wyrick.

Total 7

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Courtney, Sivertsen.

Total 2

House Joint Resolution No. 5 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Ellerd, Smith, Vinger.

Total 3

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Hurwitz, Sivertsen, Uhde.

Total 3

House Bill No. 73 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Brand, Ryan, Teague.

Total 3

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Bardanouve, Turner.

Total 2

House Bill No. 74 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Brand.

Total 1

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Bardanouve.

Total 1

House Bill No. 12 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: None.

Total 0

House Bill No. 15 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson,



Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: None.

Total 0

House Bill No. 16 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Stobie.

Total 1

Excused: Ellis, Gerke, Hansen, Lund.

Total 4

Absent or not voting: Feda, Hand.

Total 2

Meloy moved that the House adjourn until 10:00 a.m., January 15, 1977.

Motion carried.

House adjourned at 3:00 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## TWELFTH LEGISLATIVE DAY

Helena, Montana  
January 15, 1977

House Chambers  
Capitol Building

House convened at 10:00 a.m., Mr. Speaker Pro Tem Joe Brand in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Davis, Colburn, Driscoll, Halvorson, Meyer, Mular, Robbins, Seifert, Severson, Teague, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eleventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 1/15/77  
Considered correctly engrossed - HB 17, HB 30, HB 42, HB 44.  
Correctly printed - HB 22, HB 28, HB 29, HB 39, HB 72.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL  
(Quilici, Chairman): 1/15/77  
Respectfully recommend that the attaches approved by the Committee on Legislative Administration be employed as of the following effective dates:

Sam Wolfe, appointed by the Speaker, November 20.....	Sergeant-at-Arms
Ken Robbins, January 3 .....	Sergeant's office
Clyde Neu, December 16.....	Sergeant's office
John Loter, January 3.....	Guard
Betsy Clark, January 13.....	Committee Secretary
Joy McGrath, January 13 .....	Committee Secretary
Carolyn Erhardt, January 13 .....	Committee Secretary
Rae M. Haas, January 13 .....	Researcher
Denise R. Thompson, January 13.....	Sec. to Asst. Minority Leader
Stephen James Carney, January 3 .....	Sergeant's office

Report adopted.

JUDICIARY (Scully, Chairman): 1/13/77  
HB 79, introduced bill, be amended as follows:

1. Amend section 1, subsection (3), line 25, page 3.  
Following: line 24  
Strike: "judgement"  
Insert: "judgment"

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman): 1/14/77  
HB 43, introduced bill, be amended as follows:

1. Amend page 16, section 13.  
Following: line 9  
Insert: "(f) To the library of each custodial institution, one copy;"  
Renumber: all subsequent subsections
2. Amend page 32, section 28, line 10.

Following: "governor,"  
Strike: "all other elected"

And as amended, do pass. Report adopted.

HB 46, introduced bill, be amended as follows:

1. Amend section 2, page 3, line 7.

Following: "established"

Strike: "—when open"

2. Amend section 2, page 3, lines 8 through 10.

Following: "town."

Strike: "The (which) court must always be open. (except upon) On nonjudicial days (and upon such days) it may transact criminal business only."

3. Amend section 33, page 29, line 25.

Following: "No"

Strike: "justice, judge, or other elective"

4. Amend section 33, page 30, line 1.

Following: "judicial"

Strike: "official"

Insert: "officer"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 81, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

1/14/77

HB 98, introduced bill, be amended as follows:

1. Amend title, page 1, line 7.

Following: "1947"

Insert: "; and providing a delayed effective date"

2. Amend page 2, section 1, subsection (2).

Following: "any"

Strike: "business inventory found as the result of an audit to have been underreported by the owner shall be increased by 25% as a penalty for underreporting"

Insert: "underreported portion of any business inventory, found as a result of an audit to have been underreported by the owner, shall be increased by 25% as a penalty for underreporting"

3. Amend page 2, section 1.

Following: line 6

Insert: "(3) The 25% penalty may be waived by the department of revenue if reasonable cause for failure to report the total value of a business inventory is provided to the department."

4. Amend page 2.

Following: line 6

Insert: "Section 2. Effective date. This act is effective January 1, 1978."

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman):

1/15/77

HB 54, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (1), lines 11 and 12.

Following: "Whenever the"

Strike: "governor issues a proclamation stating that a ballot issue has been"

Insert: "statement of the canvass filed by the secretary of state includes a ballot issue that has been"

And as amended, do pass. Report adopted.

HB 118, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection 3, line 25.

Following: "seek"

Insert: "election to"

2. Amend page 3, section 3, subsection 2, line 1.

Following: "waive the"

Strike: "40-day"

Insert: "filing time"

And as amended, do pass. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bill passed by the Senate and transmitted to the House for concurrence.

1/14/77

Senate Bill No. 5, introduced by Hazelbaker

Bill passed as amended by the Senate and transmitted to the House for concurrence.

1/14/77

Senate Bill No. 6, introduced by Hazelbaker

### MOTIONS

Meloy moved that consideration of HB 66 be passed this Legislative Day until January 17, 1977, when the sponsor of the bill will be present. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 188, introduced by Gould, Seifert, Jensen, Johnston, Kropp, Moore, Hurwitz, Barrett, Ellison, Wyrick, Fabrega, Underdal, Eudaily, Wood, Ellerd, Tropila, Ageson, Ramirez, Marks, Kvaalen, Smith. Referred to Committee on Judiciary.

HB 189, introduced by Roth, Sivertsen, Nathe, Ageson, Kropp, Wyrick, Ernst, Curtiss, Feda, Kvaalen. Referred to Committee on Judiciary.

HB 190, introduced by Kimble, Harper, Dussault, Holmes, Metcalf, Bradley. Referred to Committee on Natural Resources.

HB 191, introduced by Burnett. Referred to Committee on Taxation.

HB 192, introduced by Teague, Huennekens, Menahan, Johnston, Staigmiller, Lynch, Frates, Manuel, Colburn, Courtney, Kessler, Brand. Referred to Committee on Taxation.

HB 193, introduced by Sivertsen, Roth. Referred to Committee on Judiciary.

HB 194, introduced by Teague, O'Connell, Mular, Gilligan, Johnston, Menahan, Ryan, Kenny, Harrington, Dassinger, Huennekens, Lynch, Frates, Manuel, Colburn, Keyser, Staigmiller, Tropila, Quilici, Ageson, Courtney, Kessler, Sivertsen, Brand. Referred to Committee on Taxation.

HJR 11, introduced by Teague, Huennekens, Menahan, Johnston, Staigmiller, Lynch, Keyser, Frates, Scully, Mular, Manuel, Colburn, Ryan, Aageson, Sivertsen, Tropila, Hand, Courtney, Brand. Referred to Committee on Highways and Transportation.

HJR 12, introduced by Barrett, Scully, Lory. Referred to Committee on Business and Industry.

The following Senate bills were introduced, read first time and referred to committees:

SB 5, introduced by Hazelbaker. Referred to Committee on Business and Industry.

SB 6, introduced by Hazelbaker. Referred to Committee on Business and Industry

### **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Barrett in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 47 be amended as follows:

1. Amend title, line 6.

Following: "expenses"

Insert: "; and providing an effective date". (85-2)

And as amended, do pass. (83-6)

That HB 93 do pass. (88-0)

That HB 94 do pass. (89-0)

That HB 95 do pass. (83-5)

That HB 97 do pass. (84-0)

That HB 99 do pass. (85-1)

That HB 100 do pass. (88-0)

That HB 101 do pass. (88-0)

That HB 104 do pass. (88-0)

That consideration of SJR 1 be passed for the day.

That the committee rise and report. (Barrett, Chairman) Report adopted.

### **THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 2 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson,



Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 89

Noes: None.

Total 0

Excused: Burnett, Colburn, Davis, Driscoll, Halvorson, Meyer, Mular, Robbins, Seifert, Severson, Teague.

Total 11

Absent or not voting: None.

Total 0

House Bill No. 14 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Roth, Ryan, Scully, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 88

Noes: None.

Total 0

Excused: Burnett, Colburn, Davis, Driscoll, Halvorson, Meyer, Mular, Robbins, Seifert, Severson, Teague.

Total 11

Absent or not voting: Quilici.

Total 1

House Bill No. 34 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 87

Noes: None.

Total 0

Excused: Burnett, Colburn, Davis, Driscoll, Halvorson, Meyer, Mular, Robbins, Seifert, Severson, Teague.

Total 11

Absent or not voting: Gilligan, Manuel.

Total 2

House Bill No. 57 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 89

Noes: None.

Total 0

Excused: Burnett, Colburn, Davis, Driscoll, Halvorson, Meyer, Mular, Robbins, Seifert, Severson, Teague.

Total 11

Absent or not voting: None.

Total 0

Meloy moved that the House adjourn until 1:30 p.m., January 17, 1977.

Motion carried.

House adjourned at 11:00 a.m.

JOE BRAND, Speaker Pro Tem

MARTHA B. McGEE, Chief Clerk

## THIRTEENTH LEGISLATIVE DAY

Helena, Montana  
January 17, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Halvorson, Mular, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twelfth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

Representative Estenson introduced members of the Japanese Junior Olympic Team who are currently touring and wrestling in Montana for one month.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Correctly printed - HB 81.	1/15/77
Considered correctly engrossed - HB 93, HB 94, HB 95, HB 97, HB 99, HB 100, HB 101, HB 104.	1/15/77
Correctly printed - HB 54, HB 98, HB 118.	1/17/77
Correctly engrossed - HB 47.	1/17/77

BUSINESS AND INDUSTRY (Vincent, Chairman): 1/15/77  
HB 41, introduced bill, be amended as follows:

1. Amend page 19, section 10, subsection (a) (iii), line 8.  
Following: "each"  
Insert: "beer"
2. Amend page 21, section 10, subsection (b), line 5.  
Following: "5,000,"  
Strike: "\$300;"

And as amended, do pass. Report adopted.

HB 103, do not pass.

LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman): 1/15/77  
HB 75, do not pass.  
HB 112, do not pass.

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HB 56 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Davis, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Gilligan, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hurwitz, Jensen, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Pistoria, Quilici, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Staigmiller, Stobie, Tower, Tropila, Uhde, Vincent, Vinger, Mr. Speaker.  
Total 62

Noes: Bengtson, Colburn, Conroy, Dassinger, Day, Ellerd, Ellis, Fagg, Frates, Gerke, Gould, Holmes, Huennekens, Johnston, Kennerly, Kessler, Kimble, Lien, McLane, Manuel, Nathe, Porter, Ramirez, Robbins, Seifert, Smith, South, Turner, Underdal, Waldron, Williams, Wood, Wyrick.

Total 33

Excused: Halvorson, Mular.

Total 2

Absent or not voting: Hirsch, Palmer, Teague.

Total 3

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence:

1/15/77

Senate Bill No. 13, introduced by Blaylock

Senate Bill No. 14, introduced by Graham

Senate Bill No. 19, introduced by Graham

### MOTIONS

Meloy moved that SJR 1 be placed at the top of the Second Reading board today. Motion carried.

Meloy moved that HB 66 be taken from Second Reading and rereferred to the Committee on Education. Motion carried.

Meloy moved that consideration of HB 28 and HB 29 be postponed until Wednesday, January 19, 1977, and that they be placed at the top of the Second Reading board that day.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 195, introduced by Lynch, Menahan, Meloy, Scully, Mular, Hand, Kimble, Gilligan, Seifert, Keyser, Ellis. Referred to Committee on Local Government.

HB 196, introduced by Fagg. Referred to Committee on Business and Industry.

HB 197, introduced by Quilici, Lynch, Harrington, (By Request of Department of State Lands). Referred to Committee on Natural Resources.

HB 198, introduced by Quilici, Lynch, Harrington, Mular, Brand, Cooney, Courtney, Menahan. Referred to Committee on Taxation.

HB 199, introduced by Metcalf, Holmes, (By Request of the Board of Crime Control). Referred to Committee on Education.

HB 200, introduced by Fagg, Ramirez. Referred to Committee on Business and Industry.

HB 201, introduced by Scully, (By Request). Referred to Committee on Judiciary.

HB 202, introduced by Scully, Ramirez. Referred to Committee on Judiciary.

HB 203, introduced by Shelden, (Requested by the Department of Natural Resources and Conservation). Referred to Committee on State Administration.

HB 204, introduced by Meloy, Bradley, Huennekens, Shelden, Palmer,



Vincent, Metcalf, Estenson, Cooney, Harper. Referred to Committee on Natural Resources.

HB 205, introduced by Bardanouve. Referred to Committee on Taxation.

HJR 13, introduced by Palmer, Huennekens, Kessler, Johnston, Brand, Gould, Hansen, Metcalf, Vincent, Uhde, Dassinger, Estenson, Courtney, Cooney, Gerke, E. Gunderson, Holmes, Ellis, Frates, Hirsch, Dussault, Fagg, Ramirez, Porter. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

SB 13, introduced by Blaylock. Referred to Committee on State Administration.

SB 14, introduced by Graham. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 19, introduced by Graham. Referred to Committee on Agriculture, Livestock and Irrigation.

### **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SJR 1 be concurred in. (71-26)

That the committee rise and report. (Moore, Chairman) Report adopted.

### **MOTIONS**

Meloy moved that consideration of bills on Third Reading be passed for consideration this Legislative Day. Motion carried.

Kimble moved that the Committee on Natural Resources review any existing data concerning energy policy in Montana and upon completion of that task produce a committee bill, if appropriate, that would propose an energy policy for Montana, if necessary, that is legislatively conceived. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., January 18, 1977.

Motion carried.

House adjourned at 3:15 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FOURTEENTH LEGISLATIVE DAY

Helena, Montana  
January 18, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Halvorson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Correctly printed - HB 79.	1/17/77
Correctly printed - HB 41, HB 43, HB 46.	1/18/77

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman): 1/18/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business January 3, 1977:

Kathy L. Murphy.....	Page
Geralynne M. Strakal.....	Page
Tamara L. Vinger.....	Page
Robin M. Ryan.....	Page
Blair F. Boedecker.....	Guard
William J. Mattix.....	Guard
Loren D. Gunderson.....	Guard
Robert Brian Holland.....	Guard
John L. Loter.....	Guard
Robert J. Peterson.....	Guard
Joseph Meherns.....	Guard

At the beginning of business January 5, 1977, the following also be employed:

Brian J. Abel.....	Page
Ernie J. Lees.....	Page

At the beginning of business January 10, 1977, the following also be employed:

Rita R. Balock.....	Page
Gary R. Gilham.....	Page
Steve W. Hansen.....	Page
Teena S. Linderman.....	Page
Peri G. Rankin.....	Page
Mary R. Steffek.....	Page
Bill E. Hartnett.....	Page

At the beginning of business January 12, 1977, the following also be employed:

Kurt J. Staigmilller.....	Page
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At the beginning of business January 17, 1977, the following also be employed:

Darcy Hoffman .....	Page
Grant Callant .....	Page
Kay L. Ambrose .....	Page
Janet Deegan .....	Page
Jason Steel .....	Page

At the close of business, January 8, 1977, the following also be terminated:

Kathy L. Murphy .....	Page
Geralynne M. Strakal .....	Page
Tamara L. Vinger .....	Page
Robin M. Ryan .....	Page

At the close of business, January 11, 1977, the following also be terminated:

Brian J. Abel .....	Page
Ernie J. Lees .....	Page

At the close of business, January 15, 1977, the following also be terminated:

Rita R. Balock .....	Page
Gary R. Gilham .....	Page
Steve W. Hansen .....	Page
Teena S. Linderman .....	Page
Peri G. Rankin .....	Page
Mary R. Steffeck .....	Page
Bill E. Hartnett .....	Page

At the close of business, January 18, 1977, the following also be terminated:

Kurt J. Staigmiller .....	Page
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Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman):	1/18/77
HB 40, do pass. Report adopted.	

EDUCATION (Dussault, Chairman):	1/18/77
HB 59, introduced bill, be amended as follows:	

1. Amend the title, page 1, line 6.

Following: "service"

Strike: ", at minimum wage,"

Insert: "for compensation"

2. Amend the title, page 1, line 8.

Following: "43-726"

Insert: ", 43-727"

3. Amend page 1.

Following: line 17.

Insert: "Section 2. Section 43-727, R.C.M. 1947, is amended to read as follows:

'43-727. Legislative council — establish guidelines and staff assistance. (1) Each legislative intern is subject to guidelines established by the legislative council.

(2) Each intern shall be assigned to the legislative council for 10 hours a week during the 10-week term to assist in a legislative staff



task assigned by the executive director of the legislative council. Staff members of the legislative council shall assist interns so assigned in learning the rudiments of legislative research. Compensation for this work shall be set by the legislative council.”

Renumber: Subsequent sections.

4. Amend page 1, section 2, line 21.

Following: “to”

Strike: “his or her”

Insert: “the intern’s”

5. Amend page 1, section 3, lines 23 through 25 and page 2, lines 1 through 5.

Strike: section 3 in its entirety.

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman):

1/17/77

HB 68, introduced bill, be amended as follows:

1. Amend page 2, section 1, subsection (4), line 8.

Following: “(4)”

Strike: “Organized forest”

Insert: “Forest”

2. Amend page 4, section 2, subsection (1), line 3.

Following: “Create”

Strike: “organized”

3. Amend page 12, section 10, line 13.

Following: “governing body”

Strike: “may”

Insert: “shall”

4. Amend page 15, section 14, subsection (1), line 7.

Following: “within”

Insert: “the county protection area on”

5. Amend page 15, section 14, subsection (1), lines 10 through 12.

Following: “from”

Strike: “a county rural fire chief or from a district rural fire chief authorized by the board to issue such permits for such lands”

Insert: “the recognized protection agency for that protection area”

And as amended, do pass. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman):

1/18/77

HB 71, introduced bill, be amended as follows:

1. Amend page 2, section 1, subsection (1)(b), line 12.

Following: “\$5,000”

Insert: “,”

2. Amend page 4, section 1, subsection (4)(ii), line 5.

Following: “cycle”

Insert: “less the amount of purchases charged to the account during that billing cycle”

3. Amend page 6, section 3, subsection (1), lines 4 through 5.

Following: “who”

Insert: “knowingly violates any provision of this act or”

4. Amend page 6, section 3, subsection (2), lines 14 through 16.

Following: “shall”

Insert: "be barred from recovery of any finance charge, delinquency or collection charge on the contract"

5. Amend page 6, section 3, subsection (2), lines 16 through 17.

Following: "(contract)"

Strike: "forfeit to the debtor double the amount of any finance charge or delinquency or collection charge imposed"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 49, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (1), line 13.

Following: "drug,"

Strike: "device,"

2. Amend page 2, section 2, lines 1 through 18.

Strike: section 2 in its entirety

Insert: "Section 2. Disclosure of price required. Whenever a computerized check-out system is used with respect to a particular consumer commodity, a person who offers such commodity for sale shall conspicuously disclose the total price in arabic numerals by stamping or affixing the price on or to the commodity itself; or, on the shelf on which the consumer commodity is displayed."

3. Amend page 3, sections 5 and 6, lines 1 through 21.

Strike: sections 5 and 6 in their entirety

Insert: "Section 5. A violation of this act is an unfair trade practice within the meaning of the Montana Unfair Trade Practices Act, Title 85, chapter 4. This act is enforceable in the manner provided by the Montana Unfair Trade Practices Act, Title 85, chapter 4 and the penalties provided in that act apply to violations of this act."

And as amended, do not pass.

STATE ADMINISTRATION (Brand, Chairman):

1/17/77

HB 96, introduced bill, be amended as follows:

1. Amend page 3, section 2, line 4.

Following: "debts"

Strike: "owing"

Insert: "owed"

2. Amend page 3, section 2, line 6.

Following: "Montana"

Insert: "with preference given to resident concerns as provided in 82-1924"

And as amended, do pass. Report adopted.

HB 177, do pass. Report adopted.

HB 179, do not pass.

NATURAL RESOURCES (Shelden, Chairman):

1/18/77

HB 111, introduced copy, be amended as follows:

1. Amend page 2, section 1, subsection (a), line 2.

Strike: "\$5,000"

Insert: "\$6,000"

2. Amend page 2, section 1, subsection (b), line 12.

Following: "first"

Strike: "\$5,000"

Insert: "\$6,000"

3. Amend page 3, section 1.

Following: line 23

Insert: "(2) For purposes of computing the tax in subsections (1)(a) and (1)(b) above, lease count includes all leases contributing to the unitized area within a unit or all tracts within a unit participating in production."

Renumber: subsequent subsection

And as amended, do pass. Report adopted.

HB 149, introduced copy, be amended as follows:

1. Amend page 1, section 1, lines 19 and 20.

Following: "the"

Strike: "administration and enforcement of Chapter 12, Title 50, R.C.M. 1947, and for the"

Insert: "research,"

And as amended, do pass. Report adopted.

Objection raised by Underdal on 1/17/77 on adverse committee report on HB 75. Referred to Second Reading.

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 103 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Feda, Gilligan, Gould, E. Gunderson, J. Gunderson, Hansen, Harrington, Hirsch, Huennekens, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, O'Connell, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Burnett, Dassinger, Ernst, Fabrega, Fagg, Frates, Hand, Harper, Holmes, Jensen, Kennerly, Kropp, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Stobie, Teague, Tower.

Total 21

Excused: Halvorson.

Total 1

Absent or not voting: Bertelsen, Gerke, Hurwitz, Lynch, Palmer.

Total 5

On motion by Kimble, and in accordance with the 24-hour rule, the adverse committee report on HB 112 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Fagg, Feda, Frates, Gerke, Gilligan, J. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Pistoria, Quilici, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.



Total 61

Noes: Barrett, Burnett, Cox, Curtiss, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Gould, E. Gunderson, Hand, Johnston, Keyser, Kropp, Lory, Lund, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 35

Excused: Halvorson.

Total 1

Absent or not voting: Davis, Hurwitz, Palmer.

Total 3

### MESSAGES FROM THE GOVERNOR

January 18, 1977

The Honorable John Driscoll  
Speaker of the Montana  
House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

The 44th Legislature, in approving House Bill 453, suspended energy conversion facility siting in Montana until "The Governor of the State of Montana has prepared and submitted directly to the next Legislature, a long-term, comprehensive state energy conversion policy and plan including but not limited to alternative long-term growth goals, a state-wide siting inventory, and a proposed siting policy for the coordinated siting of energy conversion facilities to meet Montana's energy needs."

In accordance with that mandate, I am hereby submitting for your review and careful consideration: A Need for Balance: Montana Energy and Growth Policies.

Throughout its history, Montana has had a cash crop economy. Over \$9 billion in minerals and precious metals, billions of dollars worth of wheat, cattle, sheep and timber have been harvested from this land and shipped to buyers in the name of investors, both of whom often lived elsewhere. Men, whose power was their wealth, and nature, whose hallmark was her mutability, often unwittingly conspired to make our people feel themselves the victims of their own history.

During the last decade, the people of this state have demonstrated that they will take the actions necessary to safeguard their environment, their communities and their economy. They have thrown open the doors of their government and have subjected its workings to public scrutiny. They have established their constitutional rights to become the masters, insofar as it is humanly possible, of their destiny.

Oro y Plata is Montana's motto; it means gold and silver. Our mineral treasure once beckoned to prospectors and miners in search of wealth. Later, the expanses of open land in the great northern plains silently invited thousands of homesteaders who challenged the American promise of land enough for every man.

Today, our mineral treasure is once again attracting the attention of people far from our borders. An energy hungry nation, increasingly dependent on foreign sources of fossil fuel, recognizes that Montana has



108 billion tons of coal, accounting for over one-quarter of the total coal reserves in the United States. Thirty-eight billion tons of that amount represents over half of the nation's strippable, low-sulphur coal. At present rates of production, Montana's coal would last over five thousand years.

It remains a cruel paradox, yet a fact of our existence, however, that while we in Montana sit atop one of the largest energy reserves in the world, we must struggle to resolve our own energy supply difficulties.

With proven reserves of crude petroleum estimated from 164 million to 255 million barrels, Montana — at current production rates — has only five to seven years before our supply of crude oil is depleted. Due to pipeline patterns, only slightly more than a third of this amount is available to the state's refineries.

Fully 43 per cent of the crude oil which we refine, is imported from Canada. The Canadian National Energy Board has sharply curtailed exports of crude oil to the United States. From a peak export level of over one million barrels a day in 1973, Canadian exports will reach 10 per cent of that level by the end of 1978 and zero by 1982. Looking only at the effects of refinery closings, Montana would suffer a loss of between 2,115 and 2,755 workers (primary plus derivative) if the Canadian crude oil is lost and no replacement made. In Yellowstone County alone, total employment would decline between 3.7 and 4.8 per cent due only to the loss of Canadian feedstocks.

Montana's industries dependent on natural gas employ over 10,000 workers.

Canadian natural gas accounts for about 73 per cent of the Montana Power Company's total sales. Since 1973, the Canadian National Energy Board has set maximum annual natural gas export volumes, and by 1986, will likely cut off all exports to the United States. And, even at the 1975 level of production, our known Montana reserves would be depleted in 17 years.

The abundance of our coal supply presents us with the opportunity to avail our people of their proper share of this state's non-renewable wealth and to contribute to a solution of a severe national problem. Yet, the facts concerning current energy supply and demand lay upon us a serious responsibility.

Joseph Kinsey Howard wrote: "Montanans must be opportunists because of the precarious conditions under which they live; they must be more enterprising and more courageous than the residents of (other) states."

Over the years of our history, we have learned to employ great ingenuity and perseverance in overcoming the obstacles to survival put before us. All of that ingenuity and perseverance will once again be required to ensure today our survival for the future.

There are those who would laugh at the suggestion that, with one of the largest energy reserves on the face of the earth, Montana's very survival is now at stake. They would say that we are sitting upon an undeveloped bonanza: untold riches await us all.

Yet, basic to survival for the people of this state are a clean environment, abundant populations of fish and wildlife, and an agricultural economy that is dependent upon the renewal of life, not its destruction. We are struggling for the survival of our way of life. The decisions we make today regarding development of our energy resources will determine, in large measure, whether we will succeed.

Those decisions must be informed by facts, not rhetoric; they must be examined under the light of mutually agreed upon principles, not the flickering of emotion; they must be fashioned to serve the basic needs of our people for economic security and ample recreational opportunities, not to feed consumer appetites already swollen.

This report, prepared at my request by the Montana Energy Advisory Council, under the direction of its distinguished chairman, Bill Christiansen, is an important step in that decision-making process. The task was massive; it was undertaken without an appropriation of funds to support it. In all candor, I must tell you that I shall never again sign into law a bill mandating such an extensive undertaking without the funding necessary for its fulfillment.

As the duly elected representatives of the people, the members of the Legislature will build upon this working document a coherent energy policy as a general guideline for the critical choices now facing us — desperately needed by Montana, and still deplorably lacking at the national level.

Since development of Montana's resources in a careful and conscious manner requires central coordination, a Governor's Energy and Resource Policy Office — the principal recommendation of the MEAC report — will be immediately established by Executive Order. That office will expand the MEAC roles and provide the chief executive of Montana with expert staff assistance on matters of energy and resources, and assist as assigned in the coordination of matters crossing agency lines or transcending individual agency capabilities. The specific functions of the office will include coordination of energy and resource research; construction and oversight of a comprehensive data energy system; coordination of inter-agency energy and resource matters; coordination of a state energy conservation program; operation of the state fuel set-aside program; development of an emergency energy allocation plan and the capability of forecasting Montana's energy supply and demand. This office will continue to press for a strong national position regarding resource development north of the border. We cannot tolerate pollution of our air and water — in the Flathead and East Poplar Rivers or elsewhere.

I urge you to approve the \$288,000 requested for the next biennium for operation of the Energy and Resource Policy Office.

During the last four years, Montana has become the nation's leader in design and enforcement of environmental safeguards. During the next four years, Montana should become the nation's leader in conservation of its energy resources and elimination of waste in their usage.

At this point in our history, government must demonstrate its determination to reduce consumption of all resources — fiscal as well as natural. The number one priority and the basic cornerstone of our energy policy must be reduction of energy demand; any other course is ultimately suicidal.

In that effort, state government must serve as a model of energy conservation practices. By executive order, I will instruct the Department of Administration to specify and put into effect more efficient management practices in the operation of existing state buildings. By implementing an energy conserving building code, Montana has the opportunity to make energy conservation as integral a part of building construction as health and safety codes have been for many years.

Energy waste and rising utility bills place significant economic hard-

ships on all Montana residents — especially those with fixed and low incomes.

I suggest that the 45th Legislature examine expansion of the Home Weatherization Program, and provision of tax incentives to encourage renewable energy conversion at private residences and businesses. Only one utility in Montana — the Great Falls Gas Company — has offered its customers the low interest loan program for conservation measures. The Legislature should consider ways to make this program easily accessible across the state.

"Governments are instituted among men, deriving their just powers from the consent of the governed." So wrote Thomas Jefferson 200 years ago in our Declaration of Independence. His words contain a profound truth for every free self-government still existing on the face of the earth. For, without the consent of the governed, the programs which we propose and initiate will surely fail.

I have submitted to the Appropriations Committee a budget item for the Lieutenant Governor's office that would provide \$56,000 over the next biennium for the Citizens Advisory Committee on Energy. That committee will promote citizen participation in every aspect of energy planning and development, will explore conservation and renewable resource energy development alternatives, and will monitor the energy supply and demand situation.

Montana needs a consistent and comprehensive policy to guide the future siting of energy facilities. Under the provisions of the Major Facility Siting Act, state involvement in the siting of energy facilities has been limited to the evaluation of individual facility applications for specific sites. This process has not provided the state or potential applicants with a frame of reference for evaluating the relative suitability of a proposed site. Nor has it encouraged comparison of proposed sites with potentially suitable alternatives.

We must not permit this situation to continue. The Governor's Energy Resource and Policy Office would centralize a data file to facilitate inter-governmental coordination in land use and resource management programs. Legislation will be introduced to authorize earlier filing of notice of intent to submit an application for a certificate of environmental compatibility and public need; and to require development criteria for a statewide siting inventory.

Montana's existing energy transportation systems play a fundamental role in distributing energy both within the state and the region. Rapidly increasing demands for Montana coal by consumers in other states will necessitate increased rail transportation or new coal transportation systems, such as the coal slurry pipeline. Failure to strengthen our transport system may increase pressure on Montana for in-state conversion of our resources for export.

Water remains a precious resource critical to the maintenance and development of our agricultural economy. State government should support the existing railroad system as a means of exporting coal and should seek assurance that the public safety is not jeopardized by increased rail traffic. I will request the Department of Highways to consider safety hazards at highway railway crossings, in applying the coal tax funds given to the Department.

We must plan for the real possibility of coal development exceeding the capacity of the state's transportation system.



Due to Canadian curtailment of crude oil and natural gas exports, Montana must replace that energy supply.

The Legislature should endorse the Northern Tier Pipeline as a means of replacing the Canadian crude oil supply which is gradually being phased out. A pipeline built on American soil and using Alaskan crude oil is desperately needed to continue bringing feedstock to our refineries.

The Legislature should formally endorse the timely construction of a pipeline system to deliver natural gas directly from Alaska to consumers in Montana and other states.

The people of this state have proven time and again that they know best the needs of their land and economy. In the past, we have also demonstrated our willingness to contribute, far beyond the minimum required of us, to the amelioration of national emergencies.

I affirm the constitutional right of the people of Montana to determine their own destiny in the broad framework of national priorities as specified by the United States Congress. Neither the energy companies nor federal bureaucrats huddled two-thirds of the way across the continent know the complexities of our needs and aspirations.

The past two administrations in Washington showed little regard for the feelings and desires of western people about energy development. That is why ten western Governors formed the Western Governors' Regional Energy Policy Office, an organization of which I now serve as chairman. Our purpose was to formulate policy and express emphatically to the Administration and Congress that the development of our energy would be on our terms, not the federal government's.

The new President is a just and humane man, thoroughly versed in the problems of state government. We expect that recent federal attempts to usurp traditional state authority in matters such as utility siting and water management will halt at his direction.

I ask the Montana Legislature to express its support of a federal strip mining bill that would recognize and fund enforcement of state reclamation legislation, where more stringent than federal counterparts, on federal land and mineral holdings. I understand Senator Metcalf's proposal does exactly that.

Furthermore, I reiterate my adamant opposition to reduction of Montana's coal severance tax. For the first time in our history, our people are obtaining a just return for use by others of the mineral wealth of this state.

The debate concerning load-center conversion versus mine-mouth conversion has been heated and prolonged in our state. I believe that Montana should continue to encourage load-center conversion of our coal. Conversion within Montana should be for Montana needs, and I believe we should make a firm commitment to the development and use of renewable energy. To that end, I request amendment to the Alternative Energy Act to allow state funds for research in more efficient coal conversion processes, such as the MHD program in Butte.

I strongly oppose the use of our state as a dumping ground for radioactive waste, and I urge the Legislature to join me in expressing strong disapproval.

Uncertainty concerning a supply of natural gas adequate to meet the needs of Montana consumers requires exploration of potential sources of future supply. An important first step in this regard would be enactment



of a tax incentive to encourage additional discoveries of potential Montana natural gas reserves for delivery to Montana consumers.

There is a lack of consensus as to the point in time when Montana's demand for natural gas will exceed its supply. While most experts agree this will take place sometime between 1985 and 2000, it is very difficult to estimate future Canadian curtailments, the extent to which Montanans will conserve energy, the conversion of industrial plants from natural gas to coal or electricity, new discoveries of natural gas, and alternative energy sources.

I agree with this statement in the MEAC report "Precipitous action to meet an imagined natural gas shortage is indefensible. Inaction in the face of a real natural gas shortage is irresponsible."

Two weeks ago at the Holy Rosary Hospital in Miles City, there occurred an emergency which may be a premonition of the future in Montana. With 15 minute's notice, the hospital supply of natural gas was cut off, and the hospital was forced to utilize its emergency reserve of fuel oil.

The ultimate solution to this potential crisis does not lie exclusively in any one area. We must take action — voluntary and regulated — to reduce the demand for natural gas and to increase the supply of nonrenewable and renewable forms of energy to replace it. This administration will not play Russian roulette with the future well-being of our state's natural gas users.

Having carefully studied all the information and data available, I believe it would be irresponsible to dismiss consideration of any potential source of energy. One unproven, but potential, source of energy is the conversion of coal to synthetic natural gas.

While I am not advocating that Montana build a coal gasification plant, I do favor Montana seeking federal funds to investigate the various technologies, environmental compatibility and siting of a plant to serve only Montana's needs.

If the funds are received and after the feasibility study is completed, the 46th Montana Legislature would participate in review of its findings and help determine what further action would be appropriate.

Any direct involvement by the State of Montana in a coal gasification plant must be supported by a federal guarantee and legislation contemplating this involvement should reflect that guarantee.

We must choose between the survival of our state as we know it, or its banishment into memory. Not since the time of Joseph Dixon has Montana state government faced opportunity more bright or responsibility more grave.

In our collective hands are held the fragile natural life of our land, air, water and wildlife and the agricultural economy which sustains our quality of life — recognized by many as the highest in the world. We must promote a vibrant economy to supply jobs for all our people, while we protect the healthful, natural environment which remains our most cherished legacy.

House Bill 453 requires of you a response to these policy recommendations. I urge you to review them with care, solicit extensive public

comment, and adopt the legislation necessary to protect the integrity of our state, now and in the future.

Respectfully,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence:  
1/17/77

Senate Bill No. 15, introduced by Warden

Senate Bill No. 16, introduced by Graham

Senate Bill No. 24, introduced by Thiessen

### MOTIONS

Menahan moved that HJR 9 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Business and Industry. Motion carried.

Menahan moved that HB 118 be rereferred from Second Reading to the Committee on State Administration. Motion carried.

Meloy moved that the Journal reflect the motion of Representative Vincent to adopt the adverse committee report on HB 103. Motion carried.

Meloy moved that consideration of HB 79 be postponed until the 20th Legislative Day. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 206, introduced by Courtney, Cooney, Palmer, Harrington, Mular, Bradley, Metcalf, Marks, Uhde, Hirsch, Dussault, Harper, Lynch. Referred to Committee on Highways and Transportation.

HB 207, introduced by Bradley, Nathe, Lien, South, Dassinger, Vincent, Robbins, Fabrega. Referred to Committee on Taxation.

HB 208, introduced by Meyer, Wyrick, Kanduch, South, Fagg, O'Connell, Johnston, Kropp. Referred to Committee on Local Government.

HB 209, introduced by South. Referred to Committee on Local Government.

HB 210, introduced by Fabrega, Wyrick, Kanduch, Fagg, Manuel. Referred to Committee on Taxation.

HB 211, introduced by Dussault, Scully, Tropila, Harper, Kimble, Courtney, Fagg, Waldron, Eudaily, Ellerd, Gerke, Quilici, Bradley. Referred to Committee on State Administration.

HB 212, introduced by Dassinger, (By Request of the Department of Revenue). Referred to Committee on Business and Industry.

HB 213, introduced by Gerke, Lynch, J. Gunderson, Fabrega, Ellis. Referred to Committee on Rules.

HB 214, introduced by Manuel. Referred to Committee on Business and Industry.

HB 215, introduced by Palmer, Waldron, Vincent, Cooney. Referred to Public Health Subcommittee on Problems of the Elderly.

HB 216, introduced by Bradley, Ellerd, Vincent, Scully, Estenson, Davis. Referred to Committee on Business and Industry.

HB 217, introduced by Bardanouve, Lund, Ageson, Moore, Manuel,

Ellis, South, Marks, Kvaalen, Robbins. Referred to Committee on Rules.

HB 218, introduced by Marks, Kvaalen, Moore, Quilici, Staigmiller, Menahan. Referred to Committee on Taxation.

HB 219, introduced by Conroy. Referred to Committee on Public Health, Welfare and Safety.

HB 220, introduced by Gerke, (By Request of the Department of Administration). Referred to Committee on Business and Industry.

HB 221, introduced by Menahan, Lynch. Referred to Committee on Public Health, Welfare and Safety.

HB 222, introduced by Moore, Fagg. Referred to Committee on Highways and Transportation.

HB 223, introduced by Moore, Driscoll. Referred to Committee on Rules.

HB 224, introduced by Kessler, Hansen, Cooney, Estenson, Hirsch, Fagg, Uhde, Porter, Kvaalen. Referred to Committee on State Administration.

HB 225, introduced by Menahan. Referred to Committee on Business and Industry.

HB 226, introduced by Keyser, Nathe, Tropila, Manuel. Referred to Committee on Judiciary.

HB 227, introduced by Kimble, (By Request). Referred to Committee on Public Health.

HB 228, introduced by Hand, Harper, Ryan, Tropila, Kenny, Bengtson, Teague, Conroy, Pistoria, O'Connell, Uhde, Holmes, Gould, Courtney. Referred to Committee on Judiciary.

HB 229, introduced by Gerke. Referred to Committee on State Administration.

HB 230, introduced by Gerke, Fabrega. Referred to Committee on State Administration.

HB 231, introduced by Gerke. Referred to Committee on Taxation.

HB 232, introduced by Gerke. Referred to Committee on Appropriations.

HB 233, introduced by South. Referred to Committee on Appropriations.

HB 234, introduced by Johnston, J. Gunderson, Teague, Kenny, Barrett, Lund, (By Request of the Department of Agriculture). Referred to Committee on Agriculture.

HB 235, introduced by Johnston, Mular, Kropp, Wyrick, Kanduch. Referred to Committee on State Administration.

HJR 14, introduced by South. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees.

SB 15, introduced by Warden. Referred to Committee on Fish and Game.

SB 16, introduced by Graham. Referred to Committee on Highways and Transportation.

SB 24, introduced by Thiessen. Referred to Committee on Highways and Transportation.

### **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.



Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 22 do pass. (81-13)

That HB 39 do pass. (88-2)

That HB 72 do pass. (97-0)

That HB 81 do pass. (95-0)

That HB 54 do pass. (92-0)

That HB 98 do pass. (89-6)

That the committee rise and report. (Tropila, Chairman) Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 17 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Halvorson.

Total 1

Absent or not voting: Brand, Hurwitz.

Total 2

House Bill No. 30 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila,



Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Halvorson.

Total 1

Absent or not voting: Hurwitz.

Total 1

House Bill No. 42 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Halvorson.

Total 1

Absent or not voting: Hurwitz.

Total 1

House Bill No. 44 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: J. Gunderson.

Total 1

Excused: Halvorson.

Total 1

Absent or not voting: Hurwitz.

Total 1

House Bill No. 47 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Brand, Feda, Roth, Seifert, Smith, Stobie, Tower, Vinger.

Total 8

Excused: Halvorson.

Total 1

Absent or not voting: Hurwitz.

Total 1

House Bill No. 93 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Brand, Cooney.

Total 2

Excused: Halvorson.

Total 1

Absent or not voting: Eudaily, Hansen, Hurwitz.

Total 3

House Bill No. 94 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South,

Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Brand, Cooney.

Total 2

Excused: Halvorson.

Total 1

Absent or not voting: Estenson, Hurwitz.

Total 2

House Bill No. 95 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Smith.

Total 1

Excused: Halvorson.

Total 1

Absent or not voting: Hurwitz, Ramirez, Staigmiller.

Total 3

House Bill No. 97 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Colburn, Marks, Moore.

Total 3

Excused: Halvorson.

Total 1

Absent or not voting: Hurwitz.

Total 1

House Bill No. 99 was passed by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Burnett, Colburn, Marks, Moore.

Total 4

Excused: Halvorson.

Total 1

Absent or not voting: Dassinger, Hurwitz.

Total 2

House Bill No. 100 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Halvorson.

Total 1

Absent or not voting: Estenson, Hurwitz.

Total 2

House Bill No. 101 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila,



Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Halvorson.

Total 1

Absent or not voting: Hand.

Total 1

House Bill No. 104 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Halvorson.

Total 1

Absent or not voting: Hurwitz.

Total 1

Senate Joint Resolution 1 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Cox, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Eudaily, Fagg, Frates, Gould, E. Gunderson, Hansen, Harper, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Underdal, Vinger, Williams, Wood, Mr. Speaker.

Total 66

Noes: Barrett, Brand, Burnett, Colburn, Cooney, Courtney, Curtiss, Dussault, Ellerd, Estenson, Fabrega, Feda, Gerke, Gilligan, J. Gunderson, Hand, Holmes, Kenny, Keyser, Lien, O'Connell, Palmer, Robbins, Ryan, Shelden, Teague, Tropila, Turner, Uhde, Vincent, Waldron, Wyrick.

Total 32

Excused: Halvorson.

Total 1

Absent or not voting: Hurwitz.

Total 1

Meloy moved that the House adjourn until 1:30 p.m., January 19, 1977.

Motion carried.

House adjourned at 2:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## FIFTEENTH LEGISLATIVE DAY

Helena, Montana  
January 19, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father James Farrell, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Halvorson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fourteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Correctly printed - HB 40. 1/18/77  
Correctly printed - HB 59, HB 68, HB 71, HB 75, HB 96, HB 111, HB 149, HB 177. 1/19/77  
Considered correctly engrossed - HB 22, HB 39, HB 54, HB 72, HB 81, HB 98. 1/19/77

STATE ADMINISTRATION (Brand, Chairman): 1/18/77  
HJR 13, do pass. Report adopted.

#### AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman): 1/18/77  
HB 134, be amended as follows:

1. Amend page 2, section 2, line 9.  
Following: "name"  
Strike: "in"  
Insert: "with"  
And as amended, do pass. Report adopted.

HB 135, do pass. Report adopted

HB 136, be amended as follows:

1. Amend page 2, section 2, line 19.  
Following: "inspector."  
Insert: "The fees for this inspection shall be the same as those imposed for county line or change of ownership inspections. The fees paid to state stock inspectors shall be remitted to the department for deposit in the earmarked revenue fund for the use of the department."

And as amended, do pass. Report adopted.

HB 167, do pass. Report adopted.

#### PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman): 1/19/77  
HB 164, introduced bill, be amended as follows:

1. Amend title, line 8.  
Following: "amending"  
Strike: "sections 71-231.1 and 71-231.3"  
Insert: "section 71-231.3, R.C.M. 1947; and repealing section 71-231.1"

2. Amend page 1, section 2, line 23.

Following: line 22

Strike: section 2 in its entirety

Renumber: all subsequent sections

3. Amend page 3, section 5, line 21.

Following: line 21

Insert: "Section 5. Repealer. Section 71-231.1, R.C.M. 1947, is repealed."

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman):

1/19/77

HB 48, do not pass.

JUDICIARY (Scully, Chairman):

1/18/77

HB 80, introduced bill, be amended as follows:

1. Amend page 2, section 7, line 21.

Following: "agreement,"

Strike: "whereever"

Insert: "wherever"

2. Amend page 17, section 26, line 7.

Following: "may"

Insert: "; (a)"

3. Amend page 17, section 26, line 14.

Following: line 13

Strike: "(a)"

Insert: "(i)"

4. Amend page 17, section 26, line 19.

Following: line 18

Strike: "(b)"

Insert: "(ii)"

5. Amend page 17, section 26, line 25.

Following: line 24

Strike: "(c)"

Insert: "(iii)"

6. Amend page 18, section 26.

Following: line 2

Insert: "(b) make repairs himself that do not cost more than one month's rent and deduct the cost from the rent if he has given the landlord notice and he has not made the repairs within a reasonable time."

And as amended, do pass. Report adopted.

HB 116, do not pass.

Objection raised by Burnett on 1/18/77 on adverse committee report on HB 179. Referred to Second Reading.

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 49 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston,



Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Bradley, Cooney, Dussault, Estenson, Frates, Huennekens, Kimble, Meloy, Metcalf, Teague, Uhde, Vincent.

Total 12

Excused: Halvorson.

Total 1

Absent or not voting: Fagg.

Total 1

### MESSAGES FROM THE OTHER HOUSE

Bill passed by the Senate and transmitted to the House for concurrence:

1/18/77

Senate Bill No. 29, introduced by Blaylock

### MOTIONS

Bradley moved that Father James Farrell be named as permanent Chaplain of the 45th Legislature of the House of Representatives. Motion carried.

Dussault moved that HB 186 be rereferred from the Committee on Education to the Committee on Local Government. Motion carried.

Scully moved that HB 81 be rereferred from Engrossing to Second Reading for the purposes of amendment. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 236, introduced by Harper, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 237, introduced by Robbins, Dassinger, Hurwitz, Bengtson, Day, Gilligan, Teague, Seifert, Gerke. Referred to Committee on Taxation.

HB 238, introduced by Robbins, Hurwitz, Bengtson, South, Williams, Mular, Conroy, Gilligan, Day, Dassinger, Barrett, Bertelsen, Scully, Gerke. Referred to Committee on Business and Industry.

HB 239, introduced by Brand, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.

HB 240, introduced by Ellerd. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 241, introduced by Dassinger, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.

HB 242, introduced by Palmer, Gould, Ellis, Lory, Cooney. Referred to Committee on Appropriations.

HB 243, introduced by Kimble, (By Request). Referred to Committee on Judiciary.

HB 244, introduced by Kimble, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.

HB 245, introduced by Lynch, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.

- HB 246, introduced by Barrett, Johnston, Moore, Ernst, Stobie, Day, Nathe, Bengtson, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.
- HB 247, introduced by Palmer. Referred to Committee on State Administration.
- HB 248, introduced by Kimble, (By Request). Referred to Committee on State Administration.
- HB 249, introduced by South. Referred to Committee on State Administration.
- HB 250, introduced by Lynch, Quilici, Kanduch, Mular, Dussault, Holmes, Gerke, Kimble, Harrington, Menahan, Brand, Huennekens, Driscoll, Harper, Teague, Meloy, Cooney, Kessler, Ellis, Gould, Palmer, Courtney, Eudaily, Waldron. Referred to Committee on Appropriations.
- HB 251, introduced by Harper, Scully, Dussault, Sheldon, Keyser, (By Request of Association of County Attorneys). Referred to Committee on Judiciary.
- HB 252, introduced by McLane. Referred to Committee on Agriculture, Livestock and Irrigation.
- HB 253, introduced by Johnston, Lien, Kanduch, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.
- HB 254, introduced by Cooney, Uhde, Courtney, Kessler, Harrington, Brand, Kennerly, Hirsch, Fagg, Day, E. Gunderson, Estenson, Dussault, Ellis, Eudaily, R. Baeth, Kanduch, Menahan, W. Baeth, Fabrega, Tropila, Vincent. Referred to Committee on Natural Resources.
- HB 255, introduced by Cooney, Palmer, Hansen, Kessler, Uhde, Courtney, O'Connell, Dussault, Holmes, Lynch, Menahan, Metcalf, Scully, Harrington, Brand, Quilici, Tropila, Hand, Vincent. Referred to Committee on Public Health, Welfare and Safety.
- HB 256, introduced by Quilici, Menahan, Kanduch, Lynch, Gilligan, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.
- HB 257, introduced by Dussault, Ellis, Driscoll, Lory, Menahan, Kenny, O'Connell, Huennekens, Harper, Gilligan, Teague, Barrett, Eudaily. Referred to Committee on Public Health, Welfare and Safety.
- HB 258, introduced by Kanduch, Johnston, Quilici, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.
- HB 259, introduced by Kimble, Lynch, Gilligan, Kessler. Referred to Committee on Natural Resources.
- HB 260, introduced by Gould, Ellis, Underdal, Cox, Kenny, Brand, Sivertsen, Fagg, Kanduch, Johnston, Hand, Teague, South, Seifert, Stobie, McLane, Ernst, Keyser, Jensen, Lien, Conroy, Lory, Frates, Harrington, Barrett, Eudaily, Manuel, Lund, Ramirez, Porter, Meyer, Menahan, Davis, Staigmillier, Severson, O'Keefe, Nathe, Wood, Hurwitz, Tower, Kennerly, Smith, Ellerd, Kvaalen, Ageson, Hansen, J. Gunderson, Vinger, Colburn, Hirsch, Dassinger, Curtiss, Feda, Ellison, Moore, Kropp, Roth, Wyrick, Turner, R. Baeth, Marks, Mular, Burnett, Fabrega. Referred to Committee on Judiciary.
- HB 261, introduced by Ramirez, Marks, Moore, Gould, Mular, Kenny, Fabrega, Johnston, Scully, Tropila, Tower, Ryan. Referred to Committee on Judiciary.
- HB 262, introduced by J. Gunderson, Robbins, Ageson, Manuel, Ellis, E. Gunderson, Severson. Referred to Committee on Agriculture, Livestock and Irrigation.
- HB 263, introduced by Kimble, Barrett, Gilligan, Severson, Lynch, Dussault, Waldron. Referred to Committee on State Administration.

HB 264, introduced by Harrington, Courtney, Quilici, Gilligan, Lynch, Menahan, Cooney. Referred to Committee on Taxation.

HB 265, introduced by Lund, Moore, Dussault, Bardanouve. Referred to Committee on State Administration.

HB 266, introduced by South. Referred to Committee on Labor and Employment Relations.

HB 267, introduced by Moore, Fabrega, Marks, Ramirez, Turner, Ellison, Lund, Keyser, Davis, Harrington, Estenson, Wood, Eudaily, Aageson, O'Keefe, Vinger, Smith, Kropp, Burnett, Feda, Porter, Lynch, O'Connell, Quilici, Keyser, Menahan, Roth, Fagg, Seifert, Hurwitz, Teague, Barrett, Ryan, Meyer, Tropila, Robbins, Nathe, Ellis, Lory, Stobie. Referred to Committee on Taxation.

HB 268, introduced by Moore, Seifert, Meyer, Burnett, Hurwitz, Kropp, Tropila, Smith, Lund. Referred to Committee on Fish and Game.

HB 269, introduced by Moore, Fabrega, Marks, Fagg, O'Keefe, Lory, Meyer. Referred to Committee on Taxation.

HB 270, introduced by Moore, Fabrega, Burnett, O'Keefe, Smith, Ellison, Hurwitz, Kvaalen, Meyer, Kropp. Referred to Committee on Local Government.

HB 271, introduced by Moore, Fabrega, Smith, Ellison, Meyer, Kvaalen, O'Keefe, Hurwitz. Referred to Committee on Local Government.

HB 272, introduced by Meloy, Estenson, Palmer, Metcalf, Kimble, Kanduch, Menahan, Waldron, R. Baeth, Harper. Referred to Committee on Appropriations.

HB 273, introduced by Fagg. Referred to Committee on Judiciary.

HB 274, introduced by O'Connell, Teague, Tropila, Ryan. Referred to Committee on State Administration.

The following Senate bill was introduced, read first time and referred to committee:

SB 29, introduced by Blaylock. Referred to Committee on Public Health, Welfare and Safety.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Seifert in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 28 do pass. (64-36)

That HB 29 do pass. (62-36)

That HB 40 do pass. (89-0)

That HB 41 do pass. (88-2)

That HB 43 do pass. (91-0)

That HB 46 do pass. (91-0)

That HB 90 do pass. (90-6)

That the committee rise and report. (Seifert, Chairman) Report adopted.



**MOTIONS**

Brand moved that HB 124 be rereferred from the Committee on State Administration to the Committee on Local Government. Motion carried.

Meloy moved that the Speaker appoint a Select Committee on Employee Compensation to meet with a like committee from the Senate and that they report back to the Committee on Appropriations. Motion carried. The Speaker appointed the following: South, Chairman; Ellis, Fabrega, Tropila, Driscoll.

Meloy moved that HB 170 and HB 183 be referred to the Select Committee on Employee Compensation. Motion carried.

**REPORTS OF STANDING COMMITTEES**

STATE ADMINISTRATION (Brand, Chairman):

1/19/77

HJR 7, do pass. Report adopted.

HJR 8, do pass. Report adopted.

HB 147, do pass. Report adopted.

HB 129, do not pass.

HB 150, do not pass.

HB 185, do not pass.

**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following bills were introduced, read first time and referred to committees:

HB 275, introduced by Mular, Ellis, Brand, Menahan, Kanduch, Kennerly, Meloy, Johnston, Ryan, Williams, R. Baeth, O'Connell, Harrington, Quilici. Referred to Committee on State Administration.

HB 276, introduced by Tropila, Hand, Kenny, Teague, Underdal, Moore, Fabrega, Ellerd, Seifert, Hansen, Johnston, Mular, Bengtson, Kanduch, Kropp, O'Connell, W. Baeth, Colburn, Dussault, Vincent, O'Keefe, Robbins, Keyser, Menahan, Williams, Lynch, Frates, Ernst, Scully, Conroy, Manuel, Marks, Pistoria, Uhde, Harper, South, Kimble, Cooney. Referred to Committee on Highways and Transportation.

HB 277, introduced by Palmer, Cooney. Referred to Committee on Taxation.

HB 278, introduced by Driscoll, Bradley, Kimble, Lynch, Gould, Ellis, Lory, Lund. Referred to Committee on Appropriations.

HJR 15, introduced by Turner, Jensen, Seifert, Ellerd, Kropp, Meyer, Bertelsen, Staigmiller, Curtiss, R. Baeth. Referred to Committee on Fish and Game.

**SPECIAL ORDERS OF THE DAY**

January 19, 1977

Mrs. Martha McGee, Chief Clerk  
House of Representatives

Dear Mrs. McGee:

I hereby appoint the following Representatives to serve on the Necrology Committee:

Representative Joe Kanduch, Chairman  
Representative John Vincent



Representative Jean McLane

Sincerely,

John B. Driscoll  
Speaker of the House

Meloy moved that the House adjourn until 1:30 p.m., January 20, 1977.

Motion carried.

House adjourned at 4:20 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SIXTEENTH LEGISLATIVE DAY

Helena, Montana  
January 20, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellis, Gerke, Gilligan, Halvorson, Hansen, Kennerly, Lund, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 1/20/77  
Correctly printed - HB 134, HB 135, HB 136, HB 147, HB 164,  
HB 167, HB 179, HJR 7, HJR 8, HJR 13.  
Considered correctly engrossed - HB 28, HB 29, HB 40, HB 41,  
HB 43, HB 46, HB 90.

JUDICIARY (Scully, Chairman): 1/19/77  
HB 4, introduced bill, be amended as follows:

1. Amend title, line 8.  
Following: "1947"  
Strike: "; and providing effective dates"
2. Amend page 3, section 2, line 3.  
Following: "eleventh,"  
Strike: "and"
3. Amend page 3, section 2, line 3.  
Following: "sixteenth,"  
Insert: "and eighteenth,"
4. Amend page 3, section 3, line 7.  
Following: line 6  
Strike: section 3 in its entirety  
Renumber: subsequent sections
5. Amend page 3, section 5, line 20.  
Following: line 19  
Strike: section 5 in its entirety

And as amended, do pass. Report adopted.

HB 5, do pass. Report adopted.  
HB 6, do pass. Report adopted.  
HB 193, do not pass.  
HB 202, do pass. Report adopted.  
SB 20, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 1/19/77  
HB 108, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 23.  
Following: "20"  
Insert: "calendar"

2. Amend page 2, section 1, line 11.

Following: "15"

Insert: "calendar"

And as amended, do pass. Report adopted.

HB 157, do pass. Report adopted.

HB 169, do pass. Report adopted.

EDUCATION (Dussault, Chairman):

1/20/77

SB 3, be concurred in. Report adopted.

HB 69, do pass. Report adopted.

HB 130, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 15.

Following: "supervision"

Strike: "— library systems"

And as amended, do not pass.

HB 154, introduced bill, be amended as follows:

1. Amend the title, page 1, line 5.

Following: "next"

Strike: "regular"

2. Amend page 2, section 1, line 13.

Following: "next"

Strike: "regular"

And as amended, do not pass.

BUSINESS AND INDUSTRY (Vincent, Chairman):

1/20/77

HB 132, do not pass.

Objection raised by Keyser on 1/20/77 on adverse committee report on HB 129. Referred to Second Reading.

Objection raised by Bradley on 1/19/77 on adverse committee report on HB 150. Referred to Second Reading.

Objection raised by Keyser on 1/20/77 on adverse committee report on HB 185. Referred to Second Reading.

On motion by Meloy, and in accordance with the 24-hour rule, the adverse committee report on HB 48 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, E. Gunderson, Hand, Hirsch, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, McLane, Manuel, Marks, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 66

Noes: Bradley, Burnett, Cooney, Dussault, Estenson, Frates, Harper, Harrington, Holmes, Huennekens, Lynch, Meloy, Metcalf, Meyer, Mular, Quilici, Roth, Shelden, Teague, Vincent, Waldron.

Total 21

Excused: Ellis, Gerke, Gilligan, Halvorson, Hansen, Kennerly, Lund.



Total 7

Absent or not voting: Brand, Fagg, J. Gunderson, Hurwitz, Menahan, O'Connell.

Total 6

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

1/19/77

Senate Bill No. 2, introduced by Blaylock

Senate Bill No. 35, introduced by Galt, Roskie, et al

Senate Bill No. 45, introduced by Graham

Senate Bill No. 54, introduced by Lowe, et al

Senate Bill No. 55, introduced by Galt, et al

### MOTIONS

Vincent moved that HB 71 be rereferred from Second Reading to the Committee on Business and Industry. Motion carried.

Meloy moved that HB 181 be rereferred from the Committee on State Administration to the Committee on Fish and Game. Motion carried.

Meloy moved that the Journal reflect that the Appropriations Subcommittee on Institutions are excused and away on official business. Motion carried.

Meloy moved the rules be suspended and that HJR 13 be placed on Second Reading today. Motion carried.

Scully moved that HB 81 on Second Reading be passed for consideration until the 17th Legislative Day. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 279, introduced by Scully. Referred to Committee on Judiciary.

HB 280, introduced by Scully, Ramirez, Kimble. Referred to Committee on Judiciary.

HB 281, introduced by Halvorson, Scully, Harper, Holmes, Shelden, W. Baeth, Curtiss, Jensen, Porter, Lory, Roth. Referred to Committee on Taxation.

HB 282, introduced by Manuel, Johnston, Kennerly, J. Gunderson, Underdal. Referred to Committee on Appropriations.

HB 283, introduced by J. Gunderson, Dussault, (By Request of the Governor). Referred to Committee on Appropriations.

HB 284, introduced by J. Gunderson, Dussault, (By Request of the Governor). Referred to Committee on Appropriations.

HB 285, introduced by Harper, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Public Health, Welfare and Safety.

HB 286, introduced by Palmer, Hansen, Kessler, Cooney. Referred to Committee on Public Health, Welfare and Safety.

HB 287, introduced by Gerke, Robbins, Driscoll, Fagg, Hurwitz. Referred to Committee on Local Government.

HB 288, introduced by Quilici, Menahan, Wyrick, Lynch, Lien, Harrington. Referred to Committee on Taxation.

- HB 289, introduced by Quilici, Menahan, Lynch, Kanduch. Referred to Committee on State Administration.
- HB 290, introduced by Quilici, Lynch, Menahan, Mular, Brand. Referred to Committee on Labor and Employment Relations.
- HB 291, introduced by Gilligan, Scully, (By Request of the County Attorneys' Association). Referred to Committee on Judiciary.
- HB 292, introduced by Meloy, Bradley, Huennekens, Vincent. Referred to Committee on Natural Resources.
- HB 293, introduced by Mular, Brand, Kimble, Lynch, Vincent, Courtney, Meloy, W. Baeth, Palmer, Dassinger, Gilligan, Quilici, Waldron, O'Connell, Teague, Harrington, Colburn, Kennerly, Menahan, Bradley, Huennekens. Referred to Select Committee on Employee Compensation.
- HB 294, introduced by Driscoll, (By Request). Referred to Committee on Local Government.
- HB 295, introduced by Ellis, Estenson, Williams, Lynch, Lory, Gould, Ernst. Referred to Committee on Appropriations.
- HB 296, introduced by Bradley, Estenson, Holmes, Dussault, Meloy, Quilici, Lynch, E. Gunderson. Referred to Committee on Labor and Employment Relations.
- HB 297, introduced by Driscoll. Referred to Committee on Rules.
- HB 298, introduced by Bengtson, Dussault, South, Eudaily, Menahan, Moore, Robbins, E. Gunderson, Harper, Day, Hurwitz, Meloy, Keyser, Cox, Estenson, Porter. Referred to Committee on Public Health, Welfare and Safety.
- HB 299, introduced by Ellison, R. Baeth, Johnston, Wyrick, Mular, W. Baeth, Palmer, Cooney, Hansen, Gould, McLane. Referred to Committee on Fish and Game.
- HB 300, introduced by J. Gunderson, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Public Health, Welfare and Safety.
- HB 301, introduced by Ellerd, Davis, Turner, Tower, Aageson, Kropp, Sivertsen, Ellison, Wyrick, Burnett, Severson, Nathe, Roth, Ernst. Referred to Committee on Public Health, Welfare and Safety.
- HJR 16, introduced by Brand, Dussault, Lund. Referred to Committee on Education.

The following Senate bills were introduced, read first time and referred to committees:

- SB 2, introduced by Blaylock. Referred to Committee on Natural Resources.
- SB 35, introduced by Galt, Roskie, Flynn, Hazelbaker, Manley, McCallum. Referred to Committee on Agriculture, Livestock and Irrigation.
- SB 45, introduced by Graham. Referred to Committee on Highways and Transportation.
- SB 54, introduced by Lowe, Devine, Turnage, Peterson. Referred to Committee on Business and Industry.
- SB 55, introduced by Galt, Manley, Devine, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.

### **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

South in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 59 be amended as follows:

1. Amend the title, line 5.

Following: "interns"

Strike: "shall"

Insert: "may"

2. Amend page 1, section 2, line 24.

Following: "intern"

Strike: "shall"

Insert: "may" (61-28)

And as amended, do pass. (72-15)

That HB 68 do pass. (78-12)

That HB 96 be passed for consideration to the bottom of the board.

That HB 111 do pass. (84-5)

That HB 149 do pass. (82-5)

That HB 177 do pass. (84-4)

That HJR 13 do pass. (91-0)

That HB 96 do pass. (84-5)

That the committee rise and report. (South, Chairman) Report adopted.

### MOTIONS

Meloy moved that the rules be suspended and that HJR 13 be placed on Third Reading today. Motion carried.

Brand moved that HB 181 be rereferred from the Committee on State Administration to the Committee on Fish and Game. Motion carried.

Meloy moved that HB 292 be rereferred from the Committee on Natural Resources to the Committee on Taxation. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 22 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fed, Frates, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, South, Staigmiller, Tower, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Mr. Speaker.

Total 76

Noes: Brand, Colburn, Cox, Curtiss, Estenson, Kenny, O'Connell, Ryan, Smith, Stobie, Teague, Tropila, Vincent, Wood, Wyrick.



Total 15

Excused: Ellis, Gerke, Gilligan, Halvorson, Hansen, Kennerly, Lund.  
Total 7

Absent or not voting: Scully, Sivertsen.  
Total 2

House Bill No. 39 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 89

Noes: Smith, Stobie.  
Total 2

Excused: Ellis, Gerke, Gilligan, Halvorson, Hansen, Kennerly, Lund.  
Total 7

Absent or not voting: Mular, Sivertsen.  
Total 2

House Bill No. 54 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 92

Noes: Jensen.  
Total 1

Excused: Ellis, Gerke, Gilligan, Halvorson, Hansen, Kennerly, Lund.  
Total 7

Absent or not voting: None.  
Total 0

House Bill No. 72 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gould, E. Gunderson, J. Gunderson,



Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellis, Gerke, Gilligan, Halvorson, Hansen, Kennerly, Lund.

Total 7

Absent or not voting: R. Baeth.

Total 1

House Bill No. 98 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Barrett, Burnett, Curtiss, Kanduch, Manuel, Moore, Porter, Ramirez, Smith, Stobie, Teague, Tower.

Total 12

Excused: Ellis, Gerke, Gilligan, Halvorson, Hansen, Kennerly, Lund.

Total 7

Absent or not voting: None.

Total 0

House Joint Resolution No. 13 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellis, Gerke, Gilligan, Halvorson, Hansen, Kennerly, Lund.  
Total 7

Absent or not voting: Vinger.  
Total 1

### REPORTS OF STANDING COMMITTEES

Objection raised by Bradley on 1/20/77 on adverse committee report on HB 116. Referred to Second Reading.

Objection raised by Moore on 1/20/77 on adverse committee report on HB 130. Referred to Second Reading.

### MESSAGES FROM THE OTHER HOUSE

January 20, 1977

Honorable John B. Driscoll  
Speaker of the House  
House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

The Senate Committee on Committees has appointed a Senate Select Committee on Employee Compensation to meet with a like committee from the House to study and better understand the question of wage increases for state employees.

The members of the committee are:

Senator Larry Fasbender  
Senator Joe R. Roberts  
Senator Matt Himsl  
Senator Stan Stephens

Very truly yours,

W. Gordon McOmber  
President of the Senate

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 302, introduced by Meloy, Vincent, Harper, Huennekens, Driscoll, Dussault. Referred to Committee on State Administration.

HB 303, introduced by Menahan. Referred to Committee on Public Health, Welfare and Safety.

HB 304, introduced by Menahan, (By Request of the Department of Business Regulation). Referred to Committee on Business and Industry.

HB 305, introduced by Kessler, Cooney, Ramirez, Fagg, Vincent, Gerke, Metcalf, Bengtson, Kennerly, Kimble, Lynch, Gilligan, Nathe, Waldron, Dussault, Courtney, Harrington, J. Gunderson, Colburn, Teague, Frates, Day, Uhde, Eudaily, Harper, Bradley. Referred to Committee on Education.

HB 306, introduced by Kessler, Cooney, Holmes, Palmer, Huennekens, Harper, Waldron, Courtney. Referred to Committee on Taxation.

HB 307, introduced by Menahan, (By Request of the Governor). Referred to Committee on Public Health, Welfare and Safety.

HB 308, introduced by Mular, Brand, Marks, Kanduch, Cooney.  
Referred to Committee on Business and Industry.

HB 309, introduced by South, Hurwitz, Fagg, Uhde. Referred to  
Committee on Taxation.

HB 310, introduced by Day, Bengtson, Dassinger, Curtiss, McLane,  
Scully, Ellison, Nathe, Huennekens, Bradley, South, Hirsch, (By  
Request of the Department of Natural Resources and Conservation).  
Referred to Judiciary Subcommittee on Montana Water.

Meloy moved that the House adjourn until 1:30 p.m., January 21, 1977.

Motion carried.

House adjourned at 3:10 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## SEVENTEENTH LEGISLATIVE DAY

Helena, Montana  
January 21, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Halvorson, Kennerly, Vinger, Williams; excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

Representative Estenson introduced Anne Bartos of Helena, state winner of the Voice of Democracy Contest, who presented her speech entitled "What America Means to Me".

#### What America Means to Me

It is a long way from a folk's home town to a center of power, Washington D. C. The strength of a nation can be measured by the willingness and the determination of a people to do good for themselves, their brothers and the world. America, she is great because she is good; and what America thinks of herself is what America means to me.

This has been the same question that has been asked for two hundred years and the responsibility of the people leads me to believe that America can carve out bold proposals that shake the roots of the world. It tries to root out discrimination, hatred, and diversity that have harmed other nations and they eventually decline into historical oblivion. But America builds on these pains and sets the standards for equality, justice, and freedom. What light is to my eyes, what air is to my lungs, what love is to my heart, so freedom is to the soul of every American. People who saw in hardships freedom, and in obstacles opportunity, were men and women who literally built this nation from the land. What America thinks of herself, is what America means to me.

Our people visualized a dream of opportunity, of a safe and secure world for their children. Through the sweat on their brow and the marks of callouses on their hands, they stand up not to be applauded, but to be recognized as a nation whose ideas and ideals are based on the very hard work and good will of international peacemaker; this remains as the last bastion of freedom in this world. My people have displayed true vitality by their determination for two hundred years. What America thinks of herself is what America means to me.

The seasons have turned into centuries now, but the traditions we planted of ethics and high moral standards are continuing to grow in the lives of a new generation of Americans — the young, the old, the Poles, Czechs, Hungarians and happy Irish-Americans. We all have a spirit unmatched in the history of civilization. Oh, people criticize America because we live in visions and dreams, but they somehow turn into reality of refreshing liberal ideas, a democratic experiment, and boundless opportunities for the oppressed and underprivileged. What America thinks of herself is what America means to me.

I have a vision of America — but America cannot be understood without knowing her people and growing in understanding of them. America has lived in an era of bad times and good, with a government that respects minority rights and at the same time is effective, competent and sensitive to the people it governs. We overcame our hardships, our depression, our scandals, our long and bitter wars in which countless men and women died, and grew stronger in a conviction that right makes might and, in that right, justice deserves respect.

America, you are on the move again, united, for you have always lived up to the majesty of the constitution and the simple decency of your people. We are governed with vigor and vitality, with leaders who feel our pains and never underestimate our abilities in America's Third Century, my Third Century. What America thinks of herself is what America means to me.

An American sees good in each person they meet; they are those who look after their brothers in need; they are those who take time to witness the sunrise and sunset; they are those together in hopes of the ancient vision of Peace on Earth, good will to men; they are those who see light can walk in darkness, and are those who see man can see God.

What you think of yourself, and what I think of myself is what America means.

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Correctly printed - HB 5, HB 6, HB 69, HB 80, HB 202.	1/20/77
Correctly printed - HB 4, HB 108, HB 116, HB 129, HB 130, HB 150, HB 157, HB 169, HB 185.	1/21/77
Correctly engrossed - HB 59.	1/21/77
Considered correctly engrossed - HB 68, HB 96, HB 111, HB 149, HB 177.	1/21/77

#### FISH AND GAME (Staigmilller, Chairman):

1/20/77

HB 84, introduced bill, be amended as follows:

1. Amend title, page 1, line 6.

Following: "than"

Strike: "5"

Insert: "160"

2. Amend title, page 1, line 8.

Following: "1947"

Strike: "; and providing an immediate effective date"

3. Amend page 1, section 1, subsection (1), line 17.

Following: "by"

Strike: "gift,"

4. Amend page 2, section 2, subsection (1), line 16.

Following: "agreement,"

Strike: "gift,"

5. Amend page 3, section 2, subsection (2), line 8.

Following: "exchanging,"

Strike: "accepting gifts of,"

6. Amend page 3, section 2, subsection (2), line 10.

Following: "than"

Strike: "5"

Insert: "160"

7. Amend page 5, section 3, lines 3 and 4.

Strike: section 3 in its entirety

And as amended, do pass. Report adopted.

HB 127, do not pass.

HB 138, do not pass.

## AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman):

1/20/77

HB 152, do pass. Report adopted.

HB 153, do pass. Report adopted.

## PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

1/21/77

HB 173, do pass. Report adopted.

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 132 was adopted by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Bengtson, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Hand, Hansen, Hirsch, Hurwitz, Jensen, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Waldron, Wood, Wyrick.

Total 65

Noes: W. Baeth, Barrett, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Dussault, Estenson, Gerke, E. Gunderson, J. Gunderson, Harper, Harrington, Holmes, Huennekens, Johnston, Kimble, Lien, Lynch, Manuel, Meloy, O'Connell, Quilici, Ryan, Shelden, Teague, Vincent, Mr. Speaker.

Total 30

Excused: Halvorson, Kennerly, Vinger, Williams.

Total 4

Absent or not voting: Burnett.

Total 1

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HB 154 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kenny, Kessler, Kimble, Lien, Lory, Meloy, Menahan, Metcalf, Mular, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wyrick, Mr. Speaker.

Total 68

Noes: Barrett, Brand, Curtiss, Ernst, Fabrega, Harrington, Hurwitz, Johnston, Keyser, Kropp, Kvaalen, Lund, Lynch, McLane, Manuel, Marks, Meyer, Moore, Nathe, Porter, Ryan, South, Stobie, Teague, Wood.

Total 25

Excused: Halvorson, Kennerly, Vinger, Williams.



Total 4

Absent or not voting: Burnett, O'Connell, Staigmiller.

Total 3

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 193 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick, Mr. Speaker.

Total 79

Noes: Barrett, Cox, Fabrega, Hurwitz, Jensen, Kanduch, Kenny, Kvaalen, McLane, Marks, Moore, Teague.

Total 12

Excused: Halvorson, Kennerly, Vinger, Williams.

Total 4

Absent or not voting: Burnett, Dassinger, Ellison, Estenson, Staigmiller.

Total 5

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

1/20/77

Senate Bill No. 63, introduced by Murphy, Nelson

Senate Bill No. 64, introduced by Murphy

### MOTIONS

Lynch moved that HB 75 be rereferred from Second Reading to the Committee on Labor and Employment Relations.

As a substitute motion, Marks moved that HB 75 be rereferred to the Committee on Rules. Substitute motion failed.

As a substitute motion, Marks moved that HB 75 be rereferred to the Committee on Business and Industry. Substitute motion failed. Thereupon the original motion carried.

Fabrega moved that HB 69 be rereferred from Second Reading to the Committee on Education. Motion carried.

Brand moved that HB 123 be rereferred from the Committee on State Administration to the Committee on Local Government. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 311, introduced by Harper, Estenson, Metcalf, Meloy, Johnston, Colburn, Tropila, Gerke, Fagg, Williams, J. Gunderson, Barrett, Dussault, Kessler, Shelden. Referred to Committee on Natural Resources.



- HB 312, introduced by Driscoll, Severson, Williams. Referred to Committee on Appropriations.
- HB 313, introduced by Fagg, Keyser, E. Gunderson. Referred to Committee on Judiciary.
- HB 314, introduced by Gould, Lory. Referred to Committee on Local Government.
- HB 315, introduced by Dassinger, Teague, O'Connell, Courtney, Conroy, Kenny, Ryan, Day, Bengtson, Menahan. Referred to Committee on Education.
- HB 316, introduced by E. Gunderson, Waldron, Colburn, Dassinger, Bengtson, Keyser, Fagg, Frates, Scully. Referred to Committee on Judiciary.
- HB 317, introduced by Lien, Johnston, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.
- HB 318, introduced by Metcalf, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Business and Industry.
- HB 319, introduced by R. Baeth, Menahan, Courtney, Teague. Referred to Committee on Labor and Employment Relations.
- HB 320, introduced by Ramirez, Scully. Referred to Committee on Judiciary.
- HB 321, introduced by O'Keefe, (By Request of the Department of Revenue). Referred to Committee on Taxation.
- HB 322, introduced by Metcalf, Kessler, Waldron, Holmes, Cooney, Courtney, Harrington, Hirsch, Shelden, Uhde. Referred to Committee on State Administration.
- HB 323, introduced by Harrington, Lynch, Courtney. Referred to Committee on Local Government.
- HB 324, introduced by Harrington, Lynch, Colburn, Johnston, Menahan, Estenson, Cooney, Quilici, Courtney, Mular. Referred to Committee on Taxation.
- HB 325, introduced by Harrington, (By Request of the Department of Revenue). Referred to Committee on Agriculture, Livestock and Irrigation.
- HB 326, introduced by Lory, Scully, (By Request of the Montana Council on Criminal Justice Standards and Goals). Referred to Committee on Judiciary.
- HB 327, introduced by Menahan. Referred to the Select Committee on Employee Compensation.
- HB 328, introduced by Menahan, (By Request of the Department of Administration). Referred to Committee on State Administration.
- HB 329, introduced by Kessler, Vincent, Shelden, Uhde, Teague, Palmer, Kimble, Bardanouve, Cooney, Porter, Frates. Referred to Committee on Natural Resources.
- HB 330, introduced by Kessler, Bardanouve, Vincent, Lynch, Kimble, J. Gunderson, Cooney, Teague, Palmer, Frates, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.
- HB 331, introduced by Burnett, McLane, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.
- HB 332, introduced by Uhde, Bardanouve, Marks, Cooney, Meloy, Scully, Metcalf, Courtney, Vincent. Referred to Committee on Taxation.
- HB 333, introduced by Halvorson, Uhde. Referred to Committee on Taxation.
- HB 334, introduced by Moore. Referred to Committee on Judiciary.
- HB 335, introduced by O'Connell, Keyser, Lynch, Roth, Seifert,

Fabrega, Menahan, Moore, Sivertsen, Robbins, Nathe, Vinger, Dassinger, Aageson, Porter, Uhde, Jensen. Referred to Committee on State Administration.

HB 336, introduced by Smith, Wyrick, Conroy, Frates, E. Gunderson, Wood. Referred to Committee on Highways and Transportation.

The following Senate bills were introduced, read first time and referred to committees:

SB 63, introduced by Murphy, Nelson, (By Request of the Department of Livestock). Referred to Committee on State Administration.

SB 64, introduced by Murphy. Referred to Committee on Local Government.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Lund in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 5 do pass. (73-15)

That HB 6 be passed for the day. (77-14)

That HB 80 do pass. (81-10)

That HB 81 be amended as follows:

1. Amend title, line 4.

Following: "to"

Strike: "repeal"

Insert: "amend"

2. Amend title, line 6.

Following: "children"

Insert: "and to provide for treatment and punishment as provided in the youth court act"

3. Amend page 1, section 1, lines 9 through 10.

Following: line 8

Strike: section 1 in its entirety

Insert: "Section 1. Section 94-5-610, R.C.M. 1947, is amended to read as follows:

'94-5-610. Unlawful possession of intoxicating substance by children. (1) A person who has not reached the age of majority commits the offense of possession of intoxicating substance if he knowingly has in his possession an intoxicating substance, except a person who has not reached the age of majority does not commit the offense of possession of an intoxicating substance when in the course of his employment, he bags, carries or transports beer for customers at a grocery store.

((2) A person convicted of the offense of possessing an intoxicating substance shall be fined not to exceed fifty dollars (\$50) or be imprisoned in the county jail for any term not to exceed ten (10) days, or both.)

(2) A person charged with the offense of possession of an intoxicating substance shall be treated as an alleged youth in need of supervision as defined in 10-1203(13). A person convicted of the offense of possession of an intoxicating substance shall be punished under 10-1222.” (83-6)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (85-4)

That HB 134 do pass. (92-0)

That HB 135 do pass. (93-0)

That HB 136 do pass. (92-0)

That the committee rise and report. (Lund, Chairman) Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 28 was passed by the following vote:

Ayes: Ageson, R. Baeth, Bengtson, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, Hand, Hansen, Hirsch, Hurwitz, Jensen, Johnston, Kenny, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Meyer, Mular, Nathe, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood.  
Total 61

Noes: W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Cooney, Courtney, Dussault, Ellis, Estenson, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Holmes, Huennekens, Kanduch, Kimble, Lynch, Marks, Meloy, Menahan, Metcalf, Moore, O'Connell, O'Keefe, Robbins, Sheldon, South, Uhde, Waldron, Mr. Speaker.  
Total 34

Paired: Vinger, Williams, Ayes; Halvorson, Moore, Noes.

Excused: Kennerly.

Total 1

Absent or not voting: Barrett, Kropp, Palmer, Wyrick.

Total 4

House Bill No. 29 was passed by the following vote:

Ayes: Ageson, R. Baeth, Barrett, Bengtson, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Hand, Hansen, Hirsch, Hurwitz, Jensen, Johnston, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Meyer, Mular, Nathe, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick.  
Total 63

Noes: W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Cooney, Courtney, Dussault, Ellis, Estenson, Gilligan, E. Gunderson, J.



Gunderson, Halvorson, Harper, Harrington, Holmes, Huennekens, Kanduch, Kimble, Lynch, Marks, Meloy, Menahan, Metcalf, Moore, O'Connell, O'Keefe, Palmer, Robbins, Shelden, South, Uhde, Waldron, Mr. Speaker.  
Total 35

Paired: Vinger, Williams, Ayes; Halvorson, Moore, Noes.

Excused: Kennerly.  
Total 1

Absent or not voting: Gould.  
Total 1

House Bill No. 40 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick.  
Total 95

Noes: None.  
Total 0

Excused: Halvorson, Kennerly, Vinger, Williams.  
Total 4

Absent or not voting: Severson.  
Total 1

House Bill No. 41 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick.  
Total 96

Noes: None.  
Total 0

Excused: Halvorson, Kennerly, Vinger, Williams.  
Total 4

Absent or not voting: None.  
Total 0



House Bill No. 43 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick.

Total 95

Noes: None.

Total 0

Excused: Halvorson, Kennerly, Vinger, Williams.

Total 4

Absent or not voting: Jensen.

Total 1

House Bill No. 46 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Halvorson, Kennerly, Vinger, Williams.

Total 4

Absent or not voting: Lien, Shelden.

Total 2

House Bill No. 90 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Driscoll, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick.

Total 88

Noes: Burnett, Moore, Ramirez, Seifert, Smith, Stobie, Tower.

Total 7

Excused: Halvorson, Kennerly, Vinger, Williams.

Total 4

Absent or not voting: Bengtson.

Total 1

## REPORTS OF STANDING COMMITTEES

JUDICIARY (Scully, Chairman):

1/21/77

HB 165, do not pass.

HB 189, do not pass.

SB 7, be concurred in. Report adopted.

## FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 337, introduced by Conroy, Dassinger, Colburn. Referred to Committee on Business and Industry.

HB 338, introduced by Lynch, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Public Health, Welfare and Safety.

HB 339, introduced by Ellison, R. Baeth. Referred to Committee on Fish and Game.

HB 340, introduced by R. Baeth, Ellison, (By Request). Referred to Committee on Taxation.

HB 341, introduced by Dussault, Manuel, Bengtson, Johnston, Cooney, Jensen, Hansen. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 342, introduced by Dussault, Manuel, Conroy, Nathe, Bengtson, Waldron, Bertelsen, Day, Johnston, Sivertsen, Cooney, Vinger, Jensen, Wood, Marks. Referred to Committee on Appropriations.

HB 343, introduced by Conroy. Referred to Committee on Judiciary.

HB 344, introduced by J. Gunderson, Dassinger, Day, Bengtson, Mular, Hirsch, Huennekens, Bardanouve, Manuel. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 345, introduced by Porter, Ramirez, Moore, Harrington, Gerke, McLane. Referred to Committee on Taxation.

HB 346, introduced by Estenson (By Request of the Department of Administration). Referred to Committee on Labor and Employment Relations.

HB 347, introduced by Estenson, Harrington, Courtney, Cooney, (By Request of the Helena Catholic Diocese). Referred to Committee on Business and Industry.

HB 348, introduced by Estenson, (By Request of the State Superintendent of Public Instruction). Referred to Committee on Education.

HB 349, introduced by Estenson, (By Request of the State Superintendent of Public Instruction). Referred to Committee on Education.

HB 350, introduced by Kimble, Palmer, Cooney, R. Baeth, W. Baeth. Referred to Public Health Subcommittee on Problems of the Elderly.

HB 351, introduced by Mular, Teague. Referred to Committee on Education.

HB 352, introduced by Scully. Referred to Committee on Business and Industry.

HB 353, introduced by Scully. Referred to Committee on Judiciary.

HB 354, introduced by Gould, Keyser, Frates, Johnston, Lund.  
Referred to Committee on Judiciary.

HB 355, introduced by Gould, Keyser, Frates, Johnston, Lund.  
Referred to Committee on Highways and Transportation.

HB 356, introduced by Gould, Keyser, Frates, Johnston, Lund.  
Referred to Committee on Judiciary.

HB 357, introduced by Quilici, Fabrega, Bradley, Lynch, Driscoll,  
Meloy, Gilligan, Aageson, Scully. Referred to Committee on Judiciary.

HB 358, introduced by Bengtson, Conroy, Davis, Ellerd, Kropp,  
Wyrick, Day, Robbins, Severson, Tower, Hirsch. Referred to Committee on Taxation.

HB 359, introduced by Lynch. Referred to Committee on State Administration.

HB 360, introduced by Cooney, Palmer, Uhde, Courtney, Harrington,  
Kimble, Metcalf, Brand, J. Gunderson, Waldron, O'Connell, O'Keefe,  
Eudaily, Harper, Kessler, Dussault, Holmes. Referred to Public Health Subcommittee on Problems of the Elderly.

HJR 17, introduced by O'Connell, Ryan, Kenny, Teague. Referred to Committee on Judiciary.

Meloy moved that the House adjourn until 9:00 a.m., January 22, 1977.

Motion carried.

House adjourned at 3:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## EIGHTEENTH LEGISLATIVE DAY

Helena, Montana  
January 22, 1977

House Chambers  
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Halvorson, excused; Barrett, Kennerly, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventeenth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

**BILLS (Quilici, Chairman):** 1/22/77  
Considered correctly engrossed - HB 5, HB 80, HB 134, HB 135, HB 136.  
Correctly printed - HB 152, HB 153, HB 173.

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 1/21/77  
Senate Bill No. 78, introduced by Boylan, Mathers  
Senate failed to concur in House Amendments to Senate Joint Resolution No. 1  
Senate Conference Committee appointed: 1/21/77  
Senator Murphy, Chairman  
Senator Turnage  
Senator Roberts

House requested to appoint a like committee.

### MOTIONS

Meloy moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Joint Resolution No. 1. Motion carried. The Speaker appointed Driscoll, Chairman; Meloy, and Marks.

Meloy moved that House Bill No. 6 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time and referred to committees:

HB 361, introduced by Day, Bengtson, Teague, Curtiss, McLane, Moore, Bertelsen, Nathe, Fagg, Mular, Gerke, Scully, Marks, Gilligan, Wood, Gould. Referred to Committee on Local Government.  
HB 362, introduced by Pistoria. Referred to Committee on Taxation.  
HB 363, introduced by Cooney, Dussault, Meloy, Bradley, Uhde, Courtney, Brand, Palmer. Referred to Committee on Judiciary.  
HB 364, introduced by Gould, Kimble, Bradley, Dussault, Ellis, Bertelsen, Porter, Lynch, Colburn, W. Baeth, Brand, Cox,

- Bardanouve, Smith, Driscoll, Bengtson, Pistoria, Robbins, Wood, Manuel, Scully, Menahan, J. Gunderson, Shelden, Day, Palmer, Vincent, Mular, Gilligan, Tropila, Marks. Referred to Committee on Highways and Transportation.
- HB 365, introduced by South, (By Request of the Governor). Referred to Committee on Education.
- HB 366, introduced by Dassinger, Ernst, Kropp, Bengtson, Curtiss, Seifert, Severson. Referred to Committee on Appropriations.
- HB 367, introduced by South. Referred to Committee on Judiciary.
- HB 368, introduced by Ellis, Manuel, (By Request). Referred to Committee on Highways and Transportation.
- HB 369, introduced by Ellison. Referred to Committee on Highways and Transportation.
- HB 370, introduced by Moore, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.
- HB 371, introduced by Harper. Referred to Committee on Public Health, Welfare and Safety.
- HB 372, introduced by R. Baeth, (By Request of the Department of Fish and Game). Referred to Committee on Agriculture, Livestock and Irrigation.
- HB 373, introduced by Fagg, Marks. Referred to Committee on Highways and Transportation.
- HB 374, introduced by Ramirez, Porter, Fagg, Moore, Conroy, Johnston. Referred to Committee on Judiciary.
- HB 375, introduced by Brand, Cooney, Feda, Moore, Burnett, Lynch, Mular, Harper, Johnston. Referred to Committee on State Administration.
- HB 376, introduced by Brand, Cooney, Feda, Moore, Burnett, Lynch, Mular, Harper, Johnston. Referred to Committee on State Administration.
- HB 377, introduced by Seifert, Teague, Conroy, Dassinger, Feda, Sivertsen, Cox, Brand. Referred to Committee on Appropriations.
- HB 378, introduced by Porter, Ramirez. Referred to Committee on Education.
- HB 379, introduced by Teague, Dassinger, Kenny, Johnston, Hand, Robbins, Day, Bengtson, Pistoria, Menahan, R. Baeth, Tropila, Huennekens, Manuel, Seifert, Curtiss. Referred to Committee on Taxation.
- HB 380, introduced by Menahan. Referred to Committee on Business and Industry.
- HJR 18, introduced by Bradley, Fagg, Kimble, Huennekens, Estenson. Referred to Committee on Education.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Bradley moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Fagg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 147 do pass. (94-0)

Barrett present at this time.

That HB 164 be passed to the bottom of the board.

That HB 167 do pass. (92-0)

Kennerly present at this time.

That HB 179 do not pass. (67-26)

That HB 202 do pass. (94-2)

That HJR 7 do pass. (65-20)

That HJR 8 do pass. (95-0)

That SB 3 be passed to the bottom of the board.

That SB 20 be passed to the bottom of the board.

That HB 4 do pass. (77-20)

That HB 108 do pass. (92-2)

That HB 116 do pass. (64-34)

That HB 129 and HB 185 be passed to the 21st Legislative Day.

That HB 130 do not pass. (78-20)

That the committee rise and report. (Fagg, Chairman) Report adopted.

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time and referred to committees:

HB 381, introduced by Eudaily, Tower, Turner, Curtiss, Holmes, Waldron, Lory, Dussault, Ellis, Hansen. Referred to Committee on Public Health, Welfare and Safety.

HB 382, introduced by Burnett. Referred to Committee on State Administration.

HB 383, introduced by Uhde, (By Request). Referred to Committee on Taxation.

HB 384, introduced by Uhde, Dussault. Referred to Committee on Business and Industry.

HB 385, introduced by Roth, Manuel. Referred to Committee on Public Health, Welfare and Safety.

HB 386, introduced by Lund. Referred to Committee on Taxation.

HB 387, introduced by Moore, Fabrega, Uhde, Tower, Gilligan, Bradley. Referred to Committee on Public Health, Welfare and Safety.

HB 388, introduced by Kimble, Uhde, R. Baeth, Shelden, W. Baeth. Referred to Committee on Appropriations.

HB 389, introduced by Scully, (By Request of the Department of Administration). Referred to Committee on Taxation.

HB 390, introduced by Kimble, Uhde, R. Baeth, Shelden, W. Baeth. Referred to Committee on Natural Resources.

HB 391, introduced by Kessler, J. Gunderson, Holmes, Courtney, Cooney, Estenson, Dussault, Uhde, Gilligan, Harrington, Waldron, Palmer, Metcalf, Frates. Referred to Committee on Education.

HB 392, introduced by Tower, Stobie, Barrett. Referred to Committee on State Administration.

HB 393, introduced by Tower, Eudaily, Turner, Curtiss, Davis, Feda. Referred to Committee on Highways and Transportation.

HB 394, introduced by Quilici, Vincent. Referred to Committee on Business and Industry.



- HB 395, introduced by Quilici, Vincent, Meloy. Referred to Committee on Business and Industry.
- HB 396, introduced by Quilici, Vincent, Fabrega. Referred to Committee on Business and Industry.
- HB 397, introduced by Quilici, Vincent. Referred to Committee on Business and Industry.
- HB 398, introduced by Fabrega, Moore, O'Connell, Tropila. Referred to Committee on Natural Resources.
- HB 399, introduced by Scully, Ramirez, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Judiciary.
- HB 400, introduced by Harper, Teague, Lynch, Kenny, Cooney, E. Gunderson, Harrington, Scully, Hand, Dussault, Estenson, Lory, Aageson, Courtney, Metcalf, Barrett, Bran' Kimble, Waldron, Palmer. Referred to Committee on State Administration.
- HB 401, introduced by Menahan. Referred to Committee on Taxation.
- HB 402, introduced by Menahan, (By Request of the Department of Labor). Referred to Committee on Taxation.
- HB 403, introduced by Scully. Referred to Committee on Business and Industry.
- HB 404, introduced by Shelden, (By Request of the State Department of Education). Referred to Committee on Education.
- HB 405, introduced by Lory, Ramirez, Marks, Scully. Referred to Committee on Business and Industry.
- HB 406, introduced by Williams, Kimble, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.
- HB 407, introduced by Lory, Ellis, Scully, Dussault, (By Request of the Board of Regents). Referred to Committee on Appropriations.
- HJR 19, introduced by Curtiss, Mular, Johnston, Teague, Dassinger, Staigmiller, Conroy, McLane, Burnett. Referred to Committee on Natural Resources.
- HJR 20, introduced by Kimble, Uhde, R. Baeth, Shelden, W. Baeth, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.
- HJR 21, introduced by Fabrega, Moore, O'Connell, J. Gunderson, Meyer, Kenny, Ryan, Gilligan, Pistoria, Hurwitz, O'Keefe, Tropila. Referred to Committee on Natural Resources.

The following Senate bill was introduced, read first time and referred to committee:

- SB 78, introduced by Boylan, Mathers, (By Request of the Department of Business Regulation). Referred to Committee on Business and Industry.

### MOTIONS

Dussault moved that HB 351 be rereferred from the Committee on Education to the Committee on State Administration. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., January 24, 1977.

Motion carried.

House adjourned at 11:15 a.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## NINETEENTH LEGISLATIVE DAY

Helena, Montana  
January 24, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Colburn, Kessler, excused; Waldron, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

January 20, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Speaker:

The following is a list of Pages who are hired for the week of January 24, 1977, through January 31, 1977.

Rene Sirucek	Big Fork
Hitomi Okamura	Exchange student from Japan at Beaverhead High School in Dillon
Jennifer Lohmann	Miles City
Frank Armstrong	Ennis
Jeri Lee Gerke	Columbus
Kathy Webster	Ronan
Ellen Nash	Darby

The following Pages will be working from January 26th through February 1st:

Leigh Ann Jackson	Helena
Shelly Sanders	Helena

Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

1/24/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business January 19, 1977:

Annie M. Bartos .....	Page
Bruce D. Haswell .....	Page

At the beginning of business January 20, 1977:

Thomas Pelletier .....	Guard
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At the beginning of business January 24, 1977:

Rene Sirucek .....	Page
Hitomi Okamura .....	Page
Jennifer Lohmann .....	Page
Frank Armstrong .....	Page
Jeri Gerke .....	Page
Kathy Webster .....	Page
Ellen Nash .....	Page

At the beginning of business January 26, 1977:

Rachelle Sanders .....	Page
Leigh Jackson .....	Page

At the close of business, January 21, 1977, the following also be terminated:

Darcy Hoffman .....	Page
Grant Callant .....	Page
Kay L. Ambrose .....	Page
Janet Deegan .....	Page
Jason Steel .....	Page
Loren Gunderson .....	Guard
Blair Boedecker .....	Guard

At the close of business, January 25, 1977, the following also be terminated:

Annie M. Bartos .....	Page
Bruce D. Haswell .....	Page

Report adopted.

BILLS (Quilici, Chairman): 1/24/77

Correctly engrossed - HB 81.

Correctly printed - HB 84

Considered correctly engrossed - HB 4, HB 108, HB 116, HB 147, HB 167, HB 202, HJR 7, HJR 8.

STATE ADMINISTRATION (Brand, Chairman): 1/24/77

HB 67, introduced bill, be amended as follows:

1. Amend title, page 1, lines 8 and 9.

Following: "1947"

Strike: "; and repealing Section 84-1902, R.C.M. 1947"

2. Amend page 4, section 4, lines 21 through 22.

Following: line 20

Strike: section 4 in its entirety

And as amended, do pass. Report adopted.

HB 175, introduced bill, be amended as follows:

1. Amend page 2, section 1, subsection (4), line 17.

Following: "treasurer"

Strike: "whenever"

Insert: "each day"

And as amended, do pass. Report adopted.

HB 178, introduced bill, be amended as follows:

1. Amend page 1, section 2, line 20.

Following: "fire"

Insert: "and sheriff"

2. Amend page 1, section 2, line 23.

Following: "public"

Strike: "without charge"

And as amended, do pass. Report adopted.

HB 203, do pass. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman):

1/24/77

HB 110, do not pass.

On motion by Staigmilller, and in accordance with the 24-hour rule, the adverse committee report on HB 127 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Day, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Smith, Staigmilller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 67

Noes: Barrett, Bradley, Brand, Cooney, Courtney, Curtiss, Dussault, Estenson, Fagg, E. Gunderson, Holmes, Huennekens, McLane, Meloy, Menahan, Porter, Ramirez, Teague, Vincent.  
Total 19

Excused: Colburn, Kessler.

Total 2

Absent or not voting: Cox, Dassinger, Davis, Ellerd, Fabrega, Harrington, Kennerly, O'Connell, Severson, Sivertsen, South, Waldron.  
Total 12

On motion of Staigmilller, and in accordance with the 24-hour rule, the adverse committee report on HB 138 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, Staigmilller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 80

Noes: Bardanouve, Brand, Cooney, Courtney, Frates, Pistoria, Teague.  
Total 7

Excused: Colburn, Kessler.

Total 2

Absent or not voting: Cox, Davis, Ellerd, Fabrega, Harrington, Kennerly, Kimble, O'Connell, Sivertsen, South, Waldron.  
Total 11

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 165 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, Staigmilller, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.

Total 73

Noes: Aageson, Barrett, Curtiss, Davis, Ernst, Estenson, Gilligan, Hirsch, Huennekens, Hurwitz, Kvaalen, Marks, O'Keefe, Roth, South, Stobie, Teague, Tropila, Wood.

Total 19

Excused: Colburn, Kessler.

Total 2

Absent or not voting: Cox, Fabrega, Kimble, Robbins, Sivertsen, Waldron.

Total 6

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 189 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Shelden, Smith, South, Staigmilller, Tower, Tropila, Turner, Uhde, Vincent, Williams, Mr. Speaker.

Total 68

Noes: Aageson, Bertelsen, Ellison, Ernst, Feda, Hansen, Hurwitz, Kropp, Kvaalen, Lund, McLane, Marks, Moore, Mular, Nathe, O'Keefe, Robbins, Roth, Severson, Stobie, Teague, Underdal, Vinger, Wood, Wyrick.

Total 25

Excused: Colburn, Kessler.

Total 2

Absent or not voting: Cox, Davis, Fabrega, Sivertsen, Waldron.

Total 5

## MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

1/22/77

Senate Bill No. 9, introduced by Graham

Senate Bill No. 89, introduced by Dover, Story, Jergeson, Graham

## MOTIONS

Meloy moved that consideration of SB 3, SB 7, and SB 20 be passed to the bottom of the board. Motion carried.



### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced January 22, 1977, read first time and referred to committees:

- HB 408, introduced by Quilici, Meloy, Lynch. Referred to Committee on Judiciary.
- HB 409, introduced by Meloy. Referred to Committee on Education.
- HB 410, introduced by Dussault, Tropila, Kvaalen, Hurwitz, Marks, Mular, Vincent, Meloy, Ellis, Williams, Uhde, Ellerd, Bengtson, Harper, Estenson, Metcalf, Day, Staigmiller, Jensen, Keyser, Bradley, Courtney, Scully, Pistoria, Manuel, Gerke, Barrett, Driscoll, Dassinger, Teague, Ryan, Hand, Gilligan, Hirsch, W. Baeth, Harrington, Lien, Kimble, Holmes, Huennekens, E. Gunderson, Frates, Sheldon, Lynch, Waldron, Kessler, Palmer, Fabrega, Kanduch, Menahan. Referred to Committee on Education.
- HB 411, introduced by Dussault, Meloy. Referred to Committee on Public Health, Welfare and Safety.
- HB 412, introduced by Meloy, Menahan, Uhde, Bardanouve, Huennekens. Referred to Committee on Taxation.
- HB 413, introduced by Lynch, Harrington, Manuel, Ellis. Referred to Committee on Business and Industry.
- HB 414, introduced by Lynch, (By Request of the Governor). Referred to Committee on State Administration.
- HB 415, introduced by Lynch, (By Request). Referred to Committee on Taxation.
- HB 416, introduced by Lynch, (By Request). Referred to Committee on Education.
- HB 417, introduced by Lynch, (By Request). Referred to Committee on Business and Industry.
- HB 418, introduced by Lynch, (By Request). Referred to Committee on Business and Industry.
- HB 419, introduced by Lynch, Brand, Kimble, Menahan, Kanduch, Harrington, Huennekens, Dussault. Referred to Committee on Labor and Employment Relations.
- HB 420, introduced by Harper, Burnett, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.
- HB 421, introduced by Burnett. Referred to Committee on Appropriations.
- HB 422, introduced by Ramirez, Porter, Moore, Marks, Fabrega. Referred to Committee on Taxation.
- HB 423, introduced by O'Connell, Lynch, (By Request of the Taxpayers' Relief Association). Referred to Committee on Taxation.
- HB 424, introduced by Kimble, (By Request of the Department of Community Affairs). Referred to Committee on Natural Resources.
- HB 425, introduced by Kimble, Bradley, Waldron. Referred to Committee on Natural Resources.
- HB 426, introduced by Meloy, Bradley, Huennekens. Referred to Committee on Natural Resources.
- HB 427, introduced by O'Connell, Teague, Kenny, Ryan, J. Gunderson, Staigmiller, Courtney, Vincent, Uhde, Scully, Mular, (By Request of the Department of Administration). Referred to Committee on Appropriations.
- HB 428, introduced by O'Connell, Gilligan, Kenny, Ryan, Moore, Tropila, Pistoria, Fabrega, Courtney, Quilici, Harrington, Harper, Scully, Mular, Lynch, Menahan, Kanduch. Referred to Committee on Local Government.

- HB 429, introduced by Porter, Ramirez. Referred to Committee on Labor and Employment Relations.
- HB 430, introduced by Hirsch, Fagg, Bradley, Meloy, Kimble, Harper. Referred to Committee on Natural Resources.
- HB 431, introduced by Kessler, Harper. Referred to Committee on Natural Resources.
- HB 432, introduced by Stobie, Feda, Barrett, McLane, Quilici, Pistoria, Johnston, Curtiss, Tower, O'Keefe, Wyrick, Ernst, Jensen, Ellis. Referred to Committee on State Administration.
- HB 433, introduced by Palmer, Kessler. Referred to Committee on Local Government.
- HB 434, introduced by Williams, Gerke, Severson, Wyrick, Day, Bengtson, Aageson, Sivertsen. Referred to Committee on Taxation.
- HB 435, introduced by Vincent, Bardanouve, Driscoll, Palmer, Holmes, Courtney, Cooney, Meloy, Fagg, Dussault, Kimble, Harrington, Scully, Harper, Teague, Shelden, Kessler, Huennekens, South. Referred to Committee on State Administration.
- HB 436, introduced by Courtney, Lynch, Cooney, Uhde, Palmer, Harrington, Eudaily. Referred to Committee on State Administration.
- HB 437, introduced by Vincent, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Business and Industry.
- HB 438, introduced by Vincent, Bradley, Meloy, Dussault, Scully. Referred to Committee on State Administration.
- HB 439, introduced by Mular, Gould, Ellis, Kimble, Menahan. Referred to Committee on Local Government.
- HB 440, introduced by Mular, Gould, Ellis, Kimble, Menahan. Referred to Committee on Local Government.
- HB 441, introduced by Bradley, Meloy, Metcalf, Dussault, Kimble, Vincent, Frates, Harper. Referred to Committee on Natural Resources.
- HB 442, introduced by Teague, Ryan, Kenny, Tropila, Dassinger, Conroy, Keyser, Seifert, Colburn. Referred to Committee on Business and Industry.
- HB 443, introduced by Estenson, Meloy, (By Request of the MEA). Referred to Committee on Education.
- HB 444, introduced by Estenson, (By Request of the MEA). Referred to Committee on Labor and Employment Relations.
- HB 445, introduced by Fabrega, Lory, Ellis, Bradley, Dussault, Mular, Waldron, Huennekens, Sivertsen, Aageson, Holmes, Teague, Harrington, Ellerd, Kimble, Scully, Porter, Ramirez, E. Gunderson, Gerke, Colburn, Williams, Cooney, Vincent, Quilici, Gould, Lynch, Bengtson, Menahan, Fagg. Referred to Committee on Appropriations.
- HB 446, introduced by Pistoria, O'Connell. Referred to Committee on Business and Industry.
- HB 447, introduced by Sivertsen, E. Gunderson, Bengtson, Davis, Ellerd, Manuel, Aageson, Cox, Hurwitz. Referred to Committee on State Administration.
- HB 448, introduced by Barrett, Stobie, Day, Bengtson, Ernst, Wyrick, Kropp. Referred to Committee on Education.
- HB 449, introduced by Barrett, Dussault, Menahan, Tower, Lynch, Kropp, Bengtson, Ernst, Wyrick. Referred to Committee on Education.
- HB 450, introduced by Kanduch, Menahan, Kessler, Quilici, Lynch, R. Baeth, Hansen, Kennerly, Johnston, Palmer, W. Baeth, Shelden, Harrington, Hurwitz. Referred to Committee on Appropriations.
- HB 451, introduced by Lien, Aageson, Conroy. Referred to Judiciary Subcommittee on Montana Water.
- HB 452, introduced by Lien. Hirsch, Manuel. Referred to Committee on Agriculture, Livestock and Irrigation.

- HB 453, introduced by Lien, Dassinger. Referred to Committee on State Administration.
- HB 454, introduced by O'Connell, (By Request of the Taxpayers' Relief Association). Referred to Committee on Taxation.
- HB 455, introduced by Meloy, (By Request of the Attorney General). Referred to Committee on Judiciary.
- HB 456, introduced by Meloy, (By Request). Referred to Committee on Judiciary.
- HB 457, introduced by Vincent, (By Request of the Attorney General). Referred to Committee on Judiciary.
- HB 458, introduced by Ageson, Sivertsen, Lien, Roth, Conroy, Robbins, Teague, Johnston, Manuel, Ellison. Referred to Committee on Labor and Employment Relations.
- HB 459, introduced by Hurwitz, Lynch, Mular, Gould, Cooney, Sivertsen, Ellis, Harrington, Johnston. Referred to Committee on Local Government.
- HB 460, introduced by Harrington, Metcalf, Lynch, Mular, Cooney, Courtney, Palmer, Gilligan, Hand, Menahan, Dussault, Uhde. Referred to Committee on Appropriations.
- HB 461, introduced by Holmes, Keyser, (By Request of the Board of Crime Control). Referred to Committee on Public Health, Welfare and Safety.
- HB 462, introduced by Meloy, Holmes, Dussault. Referred to Committee on State Administration.
- HB 463, introduced by Holmes, Bengtson, Vincent, Lory, Lund, Dussault. Referred to Committee on Education.
- HB 464, introduced by Harper, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.
- HB 465, introduced by Harper, Bengtson, Hand, Estenson, Johnston. Referred to Committee on State Administration.
- HB 466, introduced by Driscoll. Referred to Committee on Judiciary.
- HB 467, introduced by Kimble, (By Request of the Superintendent of Public Instruction). Referred to Committee on Education.
- HB 468, introduced by Ellis, Ageson, Curtiss, Stobie, Bertelsen, Brand, Marks, Hansen, Kanduch, Tower, Hand, Eudaily, Hurwitz, Gould, Waldron, Dussault, Scully. Referred to Committee on Labor and Employment Relations.
- HB 469, introduced by Fabrega, Mular. Referred to Committee on Taxation.
- HB 470, introduced by Vincent, Meloy. Referred to Committee on Business and Industry.
- HB 471, introduced by Vincent, Meloy. Referred to Committee on Business and Industry.
- HB 472, introduced by Kimble, Dussault, Holmes, Waldron, Bradley. Referred to Committee on Judiciary.
- HB 473, introduced by Waldron, Meloy, Huennekens, Harrington, Lund, Ageson, Palmer. Referred to Committee on Natural Resources.
- HB 474, introduced by Huennekens, (By Request of the Department of Revenue). Referred to Committee on Taxation.
- HB 475, introduced by Huennekens, Vincent. Referred to Committee on Judiciary.
- HB 476, introduced by Huennekens. Referred to Committee on Judiciary.
- HB 477, introduced by Huennekens, (Requested by the Department of Natural Resources and Conservation). Referred to Judiciary Subcommittee on Montana Water.
- HB 478, introduced by Curtiss, Mular, Tower, Staigmillier, Day, Teague, Conroy, Ellison. Referred to Judiciary Subcommittee on Montana Water.



- HB 479, introduced by Dassinger. Referred to Committee on Business and Industry.
- HB 480, introduced by Bengtson, Dussault, Gerke, Day, Harper, Fabrega, Barrett, Kimble, Williams, Waldron. Referred to Committee on Public Health, Welfare and Safety.
- HB 481, introduced by Lien, Gerke. Referred to Committee on Taxation.
- HB 482, introduced by Fabrega, Waldron, Keyser, Marks, Meyer, Fedas, Underdal, Seifert, Burnett, Gould, Gerke, O'Connell, Pistoria, South. Referred to Committee on Business and Industry.
- HB 483, introduced by W. Baeth, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.
- HB 484, introduced by Nathe, Sivertsen, Aageson, Marks, Wyrick, Conroy, Davis, Wood, Severson. Referred to Committee on Natural Resources.
- HB 485, introduced by J. Gunderson, Bengtson, Kvaalen, Uhde. Referred to Committee on Education.
- HB 486, introduced by Frates, Waldron, Uhde. Referred to Judiciary Subcommittee on Montana Water.
- HB 487, introduced by Eudaily, Dussault, Lory. Referred to Committee on Business and Industry.
- HB 488, introduced by South. Referred to Committee on State Administration.
- HB 489, introduced by Eudaily, Waldron, Meyer. Referred to Committee on Education.
- HJR 22, introduced by Day, (Requested by the Montana Water Subcommittee and the Department of Natural Resources and Conservation). Referred to Judiciary Subcommittee on Montana Water.
- HJR 23, introduced by Day, (Requested By the Montana Water Subcommittee and the Department of Natural Resources and Conservation). Referred to Judiciary Subcommittee on Montana Water.
- HJR 24, introduced by Hirsch, Bradley, Meloy, Kimble, Harper. Referred to Committee on Natural Resources.
- HJR 25, introduced by Fabrega, Conroy, Moore, Gould, Kropp, Keyser, Fedas, Underdal, Roth, Aageson, Hirsch, Kanduch, Wyrick, Ernst, Severson, Turner, Curtiss, Meyer, Burnett, Sivertsen, Davis, Wood, Eudaily, Manuel, Johnston, Porter, Ellerd, Tropila, Staigmillier, Lien, Bertelsen, Tower. Referred to Committee on Labor and Employment Relations.
- HJR 26, introduced by Day, Williams, Severson, Scully, Uhde, Conroy, Courtney, O'Connell, J. Gunderson, Manuel, Driscoll, Seifert, Wood, Moore, Pistoria, Bengtson, Kvaalen, Burnett, Marks. Referred to Judiciary Subcommittee on Montana Water.
- HJR 27, introduced by Fedas, Keyser, Fagg, Nathe, Seifert, Conroy, Kropp, Tower, Underdal, Roth, Johnston, Brand, Cooney, Curtiss, Turner, Ellison, W. Baeth, Staigmillier, Ernst, Cox, Ellerd, Harper, R. Baeth, Quilici, Vinger, Sivertsen, McLane, Smith, Fabrega, Stobie, E. Gunderson, Ryan, Robbins, Aageson, Hirsch, Manuel, Burnett, Uhde, Lory, Lund, Ellis, Eudaily, Mular, Kimble, Hand, Hansen, Wood, Teague, Metcalf, Davis, Huennekens, Gould, Hurwitz. Referred to Committee on State Administration.
- HJR 28, introduced by Fabrega, Moore, Keyser, Jensen, Kropp, Marks, Gilligan, Smith, Nathe, Aageson, Lory, Underdal, O'Keefe, Burnett, Tower, Roth, Fedas, Barrett, Stobie, Porter, Quilici, McLane, Davis, Cox, Hurwitz, Kvaalen, Severson, Ernst, Meyer, Ellerd, Wood, Ellis, Eudaily, Kenny, Curtiss, Wyrick, Bengtson, Teague, Harper. Referred to Select Committee on Employee Compensation.
- HJR 29, introduced by Harper, O'Keefe, Holmes, O'Connell, Driscoll, Metcalf, Kimble, Meloy, Fabrega, Palmer, J. Gunderson. Referred to Committee on State Administration.



HJR 30, introduced by Bradley. Referred to Committee on Education.

HJR 31, introduced by Fabrega, (By Request of the Department of Natural Resources and Conservation). Referred to Judiciary Subcommittee on Montana Water.

HJR 32, introduced by Kennerly, Conroy, Kimble. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time and referred to committees:

SB 9, introduced by Graham. Referred to Committee on Taxation.

SB 89, introduced by Dover, Story, Jergeson, Graham. Referred to Committee on Agriculture, Livestock and Irrigation.

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 490, introduced by Nathe, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Public Health, Welfare and Safety.

HB 491, introduced by Hansen, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Appropriations.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 150 do not pass. (56-33)

Waldron present at this time.

That HB 157 do pass. (93-1)

That HB 169 do pass. (95-2)

That HB 164 be amended as follows:

1. Amend page 1, section 1, line 14.

Following: "information."

Insert: "Except in cases where the units of public disclosure outweigh the demands of individual privacy,"

2. Amend page 1, section 1, line 19.

Following: "eligibility"

Strike: "and"

Insert: " , "

Following: "services"

Insert: "including legislative oversight, or determination of welfare fraud" (85-10)

And as amended, do pass. (65-26)

That HB 152 do pass. (81-13)

That HB 153 do pass. (87-6)

That HB 173 be passed for the day.

That SB 3 be concurred in. (90-3)

That SB 7 be concurred in. (91-6)

That SB 20 be passed for the day.

That the committee rise and report. (Gerke, Chairman)

Bradley moved that HB 150 be segregated from the Committee of the Whole report and, as amended, be adopted. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 5 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 82

Noes: Bardanouve, Barrett, Brand, Burnett, Curtiss, Ellison, Ernst, Hurwitz, Jensen, Kropp, Kvaalen, Seifert, Smith, Stobie, Turner, Wyrick.

Total 16

Excused: Colburn, Kessler.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 59 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Hurwitz, Johnston, Kanduch, Kennerly, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Aageson, Bradley, Courtney, Cox, Ellerd, Estenson, J. Gunderson, Huennekens, Jensen, Kenny, Moore, O'Connell, Roth, Scully, Seifert, Uhde, Vincent.

Total 17

Excused: Colburn, Kessler.

Total 2

Absent or not voting: Hirsch.

Total 1

House Bill No. 68 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.  
Total 86

Noes: Ellison, Kropp, Kvaalen, Marks, Moore, Mular, Roth, Seifert, Smith, Stobie, Wyrick.

Total 11

Excused: Colburn, Kessler.

Total 2

Absent or not voting: Lien.

Total 1

House Bill No. 80 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 89

Noes: Ellerd, Ellison, Hurwitz, Kvaalen, Moore, Robbins, Roth, Stobie, Wood.

Total 9

Excused: Colburn, Kessler.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 96 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper,



Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Moore.

Total 1

Excused: Colburn, Kessler.

Total 2

Absent or not voting: Quilici.

Total 1

House Bill No. 111 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Burnett, Kennerly, Moore, Porter, Ramirez, Smith, Stobie.

Total 7

Excused: Colburn, Kessler.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 134 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0



Excused: Colburn, Kessler.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 135 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Estenson.

Total 1

Excused: Colburn, Kessler.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 136 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Jensen.

Total 1

Excused: Colburn, Kessler.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 149 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson,

Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 93

Noes: Davis, J. Gunderson, Stobie, Wood.

Total 4

Excused: Colburn, Kessler.

Total 2

Absent or not voting: Menahan.

Total 1

House Bill No. 177 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Burnett, Ellison, Stobie, Tower.

Total 4

Excused: Colburn, Kessler.

Total 2

Absent or not voting: Bardanouve, Hirsch.

Total 2

### MOTIONS

Williams moved to change his vote on Third Reading of HB 5 from nay to aye. Motion carried unanimously.

Meloy moved that the House adjourn until 1:00 p.m., January 25, 1977.

Motion carried.

House adjourned at 2:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## TWENTIETH LEGISLATIVE DAY

Helena, Montana  
January 25, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Nineteenth Legislative Day, find the same to be correct.

E. GUNDERSON, Vice-Chairman

### REPORTS OF STANDING COMMITTEES

**BILLS** (E. Gunderson, Vice-Chairman): 1/25/77  
Correctly printed - HB 67, HB 175, HB 178, HB 203.  
Considered correctly engrossed - HB 152, HB 153, HB 157, HB 169.  
Correctly engrossed - HB 164.

**JUDICIARY** (Scully, Chairman): 1/24/77  
HB 7, introduced bill, be amended as follows:  
1. Amend title, line 5.  
Following: "for"  
Strike: "appellate and trial"  
Insert: "supreme court and district"  
2. Amend page 1, section 1, line 8.  
Following: "training -"  
Strike: "appellate and trial"  
Insert: "supreme court and district"  
3. Amend page 1, section 1, line 11.  
Following: "for"  
Strike: "appellate and trial"  
Insert: "supreme court and district"  
4. Amend page 1, section 2, line 15.  
Following: line 14  
Strike: "appellate and trial"  
Insert: "supreme court and district"

And as amended, do pass. Report adopted.

HB 65, introduced bill, be amended as follows:

1. Amend title, lines 4 through 9.  
Following: "An act"  
Strike: lines 4 through 9 in their entirety  
Insert: "to create the position of impartial hearing examiner to hear contested cases before professional and occupational licensing boards, and other departments; appropriating moneys; amending Section 82A-1604, R.C.M. 1947."
2. Amend the bill, pages 1 through 4.  
Strike: all of the bill following the enacting clause  
Insert: "Section 1. There is a new R.C.M. section that reads as follows: Position of contested case hearing examiner created."

(1) There is a position of contested case hearing examiner within the department of administration.

(2) Qualifications for the position of hearing examiner are as follows:

- (a) a license to practice law in the state of Montana; and
- (b) at least 3 years experience in legal practice.

(3) Each hearing examiner shall be employed under the state classification and pay plan.

Section 2. There is a new R.C.M. section that reads as follows: Hearing examiner duties.

(1) The department of administration shall assign a hearing examiner to conduct all contested cases referred by the various boards within the department of professional and occupational licensing under 82A-1604, R.C.M. 1947.

(2) All hearings conducted by the hearing examiner are subject to the provisions of the Montana Administrative Procedures Act, (chapter 42, Title 82, R.C.M. 1947).

(3) The department of administration may hire necessary clerical personnel under the state classification and pay plan, as required by the hearing examiners.

(4) The department of administration may but is not required to assign a hearing examiner to hear and render proposed decisions in contested cases before other departments or agencies of state government upon request.

Section 3. 82A-1604, R.C.M. 1947, is amended to read as follows: 82A-1604. Director — duties. In addition to his powers and duties under (sections) 82A-107 and 82A-108 of this act, the director shall:

((1) Appoint impartial legal counsel to conduct hearings before each board within the department whenever any board holds a hearing. The legal counsel appointed shall see that hearings are conducted in a proper and legal manner.)

(1) refer each contested case hearing before any board to the department of administration. The hearing examiner assigned shall make findings of fact, conclusions of law, and proposed orders;

(2) (Whenever) whenever the department conducts an investigation of a complaint of illegal or unethical conduct of a member of a particular profession or occupation as prescribed in (section) 82A-1603(5) of this chapter and if requested by the appropriate board, appoint an impartial member of that profession or occupation to assist the department in its investigation. The member so appointed may not be a member of the board having jurisdiction over the particular profession or occupation.

(3) (Hire) hire all personnel to perform the administrative and clerical functions of the department for the boards. Boards within the department have no authority to hire personnel.

-End-

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

1/24/77



HB 51, do not pass.

HB 89, introduced bill, be amended as follows:

1. Amend title, lines 7 and 8.

Following: "payments"

Strike: "within 120 days of the date of notice of taxes due"

2. Amend page 3, section 1, subsection (5), lines 19 and 20.

Following: "due"

Strike: "90 days after the due date of the first payment"

Insert: "no later than September 30 of the year in which the property is assessed"

3. Amend page 4, section 1, subsection (5), lines 5 through 10.

Following: "(b)"

Strike: All material in sections (b) and (c)

Insert: "The treasurer shall issue the mobile home movement declaration provided for in section 84-6606 to a person required by that section to execute it in such quantities as he requests to a maximum of 100. The treasurer shall issue such additional quantities of the declaration to a maximum of 100 as the person requests at the discretion of the county treasurer upon receipt from the person of the previously issued declarations properly executed. In any event executed declarations must be delivered to the treasurer within 30 days from their issue."

And as amended, do pass. Report adopted.

HB 205, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman): 1/24/77

HB 244, do pass. Report adopted.

HB 245, do pass. Report adopted.

HB 258, do pass. Report adopted.

FISH AND GAME (Staigmillier, Chairman):

1/25/77

HB 256, do pass. Report adopted.

SB 15, be concurred in. Report adopted.

## REPORTS OF SELECT COMMITTEES

January 25, 1977

### JOINT CONFERENCE COMMITTEE REPORT ON HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION NO. 1 (1st report, January 25, 1977)

Mr. Speaker and President of the Senate:

We, your Joint Conference Committee on House Amendments to Senate Joint Resolution No. 1 met on January 24, 1977 and considered House Committee on Rules amendments and recommend as follows:

That the House recede from amendment numbers 1, 2, 3, and 4.

And further, that Senate Joint Resolution No. 1, third reading copy, be amended as follows:

1. Amend page 22, section 6-7, line 17.

Following: "bills"

Insert: ", Committee Bills approved by the rules committee of the house in which the committee bill originated"

2. Amend page 23, section 6-7, line 3.

Following: "day."

Insert: "Committee bills approved by the rules committee of the house in which the committee bill originated may be introduced by the 40th legislative day."

And that Senate Joint Resolution No. 1, as so amended, be concurred in.

#### FOR THE SENATE

Senator Murphy  
Senator Turnage  
Senator Roberts

Report adopted.

#### FOR THE HOUSE

Representative Driscoll  
Representative Meloy  
Representative Marks

### MESSAGES FROM THE OTHER HOUSE

Senate bill passed by the Senate and transmitted to the House for concurrence:

1/24/77

Senate Bill No. 70, introduced by Turnage, Murray

### MOTIONS

Scully moved that consideration of HB 79 be passed to the 24th Legislative Day. Motion carried.

Vincent moved that HB 200 be rereferred from the Committee on Business and Industry to the Committee on Judiciary. Motion carried.

Meloy moved that the rules be suspended and that the following bills be placed on Second Reading today: HB 67, HB 175, HB 178, HB 203. Motion carried.

### REPORTS OF STANDING COMMITTEES

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 110 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Smith, South, Stobie, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Brand, Cooney, E. Gunderson, J. Gunderson, Hansen, Kenny, Menahan, Staigmiller, Teague.

Total 9

Excused: None.

Total 0

Absent or not voting: Cox, Hurwitz, Kimble, Lynch, Quilici, Shelden, Sivertsen, Turner.

Total 8

## FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

- HB 492, introduced by Driscoll, Mular, Meloy. Referred to Committee on Judiciary.
- HB 493, introduced by Harper. Referred to Committee on State Administration.
- HB 494, introduced by Gerke. Referred to Committee on State Administration.
- HB 495, introduced by Burnett. Referred to Judiciary Subcommittee on Montana Water.
- HB 496, introduced by Burnett. Referred to Committee on Appropriations.
- HB 497, introduced by Ramirez, Porter, Marks, Moore, Fabrega, Scully. Referred to Committee on Business and Industry.
- HB 498, introduced by Scully. Referred to Committee on Judiciary.
- HB 499, introduced by Scully, Ramirez. Referred to Committee on Judiciary.
- HB 500, introduced by Driscoll, (By Request of the Legislative Audit Committee). Referred to Committee on Judiciary.
- HB 501, introduced by Vincent. Referred to Committee on Taxation.
- HB 502, introduced by Brand, Mular, Cooney, Feda, Lynch, Burnett, Lund, Harper, Kennerly, Johnston. Referred to Committee on Appropriations.
- HB 503, introduced by South. Referred to Committee on Appropriations.
- HB 504, introduced by South. Referred to Committee on Appropriations.
- HB 505, introduced by South. Referred to Committee on Appropriations.
- HB 506, introduced by Harrington, Cooney, Lynch, Courtney, Mular, Quilici, W. Baeth. Referred to Committee on State Administration.
- HB 507, introduced by Dassinger, Brand, Mular, Feda. Referred to Committee on Taxation.
- HB 508, introduced by Kvaalen, (By Request). Referred to Committee on State Administration.
- HB 509, introduced by Manuel, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.
- HB 510, introduced by Ellis, Tropila, Barrett, Ellison, Seifert. Referred to Committee on Fish and Game.
- HB 511, introduced by Lynch, Harrington, (By Request of the Governor). Referred to Committee on Appropriations.
- HB 512, introduced by Metcalf, Estenson, J. Gunderson, Harper, (By Request of the Montana Historical Society). Referred to Committee on State Administration.
- HB 513, introduced by Gilligan, Ryan, (By Request of the County Attorneys' Association). Referred to Committee on Judiciary.
- HB 514, introduced by Menahan, (By Request of the Department of Administration). Referred to Committee on State Administration.
- HB 515, introduced by Menahan, E. Gunderson, Lynch. Referred to Committee on State Administration.
- HB 516, introduced by Underdal, Aageson, Roth, Kropp, Sivertsen, Feda, Ernst, Wyrick, Vinger, Lien, Conroy. Referred to Committee on Appropriations.
- HB 517, introduced by Bengtson, Harrington, Courtney, Menahan, Nathe, Kimble, J. Gunderson, Gilligan, Barrett, Ellis, Lien, Mular, Halvorson. Referred to Committee on Appropriations.



- HB 518, introduced by Waldron, Fabrega, Kimble, Halvorson, Kennerly, O'Keefe, Holmes. Referred to Committee on Taxation.
- HB 519, introduced by Waldron, Harper, Halvorson, Bertelsen, E. Gunderson, Holmes, Palmer. Referred to Committee on State Administration.
- HB 520, introduced by Fagg, Dussault, Lynch, McLane, Conroy, Quilici. Referred to Committee on Business and Industry.
- HB 521, introduced by Bradley, Vincent, Lynch, Dussault, Williams, Teague, (By Request of the Governor). Referred to Committee on Local Government.
- HB 522, introduced by Driscoll, (By Request of the Governor). Referred to Committee on State Administration.
- HB 523, introduced by Kennerly, Waldron, Johnston, R. Baeth, (By Request of the Department of Community Affairs). Referred to Committee on Public Health, Welfare and Safety.
- HJR 33, introduced by Lund. Referred to Committee on Education.
- HJR 34, introduced by Driscoll, Mular, Meloy, (By Request of the Governor). Referred to Committee on State Administration.
- HJR 35, introduced by Kimble, W. Baeth, Shelden, R. Baeth. Referred to Committee on Natural Resources.
- HJR 36, introduced by Conroy, Kimble, Bardanouve. Referred to Committee on State Administration.
- HJR 37, introduced by Hirsch, Estenson, South. Referred to Committee on Education.
- HJR 38, introduced by Tower, Conroy, Jensen, Ellison, Stobie, Fabrega, Vincent, Mular, Cox, Feda, Barrett, Keyser, Smith, Bradley, Lynch, Aageson, Menahan, Nathe, Seifert, Bengtson, Curtiss. Referred to Committee on Public Health, Welfare and Safety.
- HJR 39, introduced by Shelden, Cooney, Meloy, Bradley. Referred to Committee on Education.

The following Senate bill was introduced, read first time and referred to committee:

- SB 70, introduced by Turnage, Murray. Referred to Committee on Judiciary.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 84 be amended as follows:

1. Amend page 1, section 1, subsection (1), line 19.  
Following: "by"  
Insert: "gift," (89-6)
2. Amend page 2, section 2, subsection (1), line 18.  
Following: "agreement,"  
Insert: "gift," (96-3)

And as amended, do pass. (50-48)



That HB 150 be amended as follows:

1. Amend page 2, section 2, subsection (2), lines 21 through 23.

Following: "archeologist"

Strike: ", one shall be employed by the university of Montana, and one by Montana state university" (84-11)

And as amended, do pass. (54-44)

That HB 173 do pass. (92-4)

That SB 20 be concurred in. (98-0)

That HB 67 be passed for the day.

That the committee rise and report, and beg leave to sit again. (Ramirez, Chairman)

Meloy moved that HB 84 be segregated from the Committee of the Whole report on the basis that the 2nd do pass motion was out of order, and as amended, be adopted. Motion carried.

### REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Brand, Chairman):

1/25/77

HB 137, introduced bill, be amended as follows:

1. Amend title, line 14.

Following: "23-4791,"

Insert: "23-4792,"

2. Amend page 8, section 3, subsection (9)(a), lines 4 and 5.

Following: "for"

Strike: "those"

Insert: "municipal, county, and school district"

Following: "offices"

Strike: "declared filled by the city clerk or the county clerk and recorder"

3. Amend page 8, section 3, subsection (9)(b), lines 8 through 10.

Following: line 7

Strike: "(b) Candidates who are running unopposed need not comply with the filing provisions of subsections (1) through (8)."

Releter: all subsequent paragraphs of subsection 9

4. Amend page 8, section 3, subsection (9)(c), line 16.

Following: line 15

Strike: "this section"

Insert: "subsections (1) through (8)"

5. Amend page 8, section 3, subsection (9)(d), line 19.

Following: "by"

Strike: "subsections"

Insert: "subsection"

6. Amend page 8, section 3, subsection (9)(d), line 20.

Following: "(9)(a)"

Strike: "or (9)(b),"

7. Amend page 8, section 3, subsection (9)(e), line 25.

Following: "(9)"

Strike: "(c)"

Insert: "(b)"

8. Amend page 9, section 3, subsection (9)(e), line 2.

Following: "whenever"

Strike: ":"

Insert: "the committee has been formed for a candidate and has received contributions not exceeding \$2,000 and has expended funds not exceeding \$2,000."

9. Amend page 9, section 3, subsections (9)(i) and (ii), lines 3 through 14.

Following: line 2

Strike: subsections (i) and (ii) in their entirety

Reletter: all subsequent subsections to conform with Amendment No. 3

10. Amend page 9, section 3, subsection (9)(f), line 15.

Following: "(9)"

Strike: "(d)"

Insert: "(c)"

11. Amend page 9, section 3, subsection (9)(f), line 16.

Following: "(9)"

Strike: "(e)"

Insert: "(d)"

12. Amend page 9, section 3, subsection (9)(g), line 25.

Following: "subsections (9)"

Strike: "(d)"

Insert: "(c)"

Following: "or (9)"

Strike: "(e)"

Insert: "(d)"

13. Amend page 10, section 3, subsection (9)(h), line 5.

Following: "(9)(a)"

Strike: ","

Insert: "or"

Following: "(9)(b)"

Strike: ", or (9)(c)"

14. Amend page 17, section 6, subsections (7)(a) and (b), lines 8 through 18.

Following: "(7)"

Strike: lines 8 through 18 in their entirety

Insert: "Candidates and committees exempted from the filing requirements of 23-4778(1) through (8) by 23-4778(9)(a) and (b) and candidates and committees required to file only one report by 23-4778(9)(c) and (d) need not comply with the requirements of subsections (1) through (6) of this section."

(8) The secretary of state shall promulgate rules to enable a candidate or committee to comply with the requirements of this section whenever the candidate or committee believed in good faith that compliance with the requirements of 23-4778(9)(c) or (d) would be possible, but the dollar limit on contributions or expenditures was in fact exceeded."

And as amended, do pass. Report adopted.

HB 235, do not pass.

HB 275, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

HB 88, introduced bill, be amended as follows:

1/25/77

1. Amend page 1, section 1, line 24.

Following: "by"

Strike: "signing"

Insert: "filing"

2. Amend page 1, section 1, line 25.

Following: "form"

Insert: "with the county assessor as"

And as amended, do pass. Report adopted.

HB 194, do not pass.

HB 264, do not pass.

### MOTIONS

Marks moved that the House reconsider its action taken this day on HB 84 on Second Reading. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 84 be indefinitely postponed. (51-47)

That the committee rise and report. (Lynch, Chairman) Report adopted.

### MOTIONS

Gould moved that HB 355 be rereferred from the Committee on Highways and Transportation to the Committee on Judiciary. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., January 26, 1977.

Motion carried.

House adjourned at 4:05 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana  
January 26, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Colburn, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twentieth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

Objection raised by Teague on 1/26/77 on adverse committee report on HB 194. Referred to Second Reading.

BILLS (Quilici, Chairman): 1/26/77  
Correctly printed - HB 7, HB 205, HB 244, HB 245, HB 256, HB 258, HB 275.

JUDICIARY (Teague, Vice-Chairman): 1/26/77  
HB 226, do pass. Report adopted.  
HB 228, do not pass.  
HB 320, introduced bill, be amended as follows:

1. Amend title, line 4.  
Following: "to"  
Strike: "amend and"

And as amended, do pass. Report adopted.

### AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman): 1/26/77  
SB 14, be concurred in. Report adopted.  
SB 19, be concurred in. Report adopted.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 51 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedas, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillar, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 74

Noes: Brand, Conroy, Cooney, Courtney, Fabrega, Gilligan, Harrington, Keyser, Lynch, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, Quilici, Roth, Teague, Tropila.  
Total 19

Excused: Colburn.

Total 1

Absent or not voting: Ellerd, Halvorson, Kessler, Lien, Sivertsen, Waldron.

Total 6

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 235 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillar, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Barrett, Courtney, Fabrega, Johnston, Marks, Moore, Mular, Teague, Tropila.

Total 9

Excused: Colburn.

Total 1

Absent or not voting: Kessler, O'Connell, Sivertsen, Waldron.

Total 4

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 264 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, O'Keefe, Palmer, Pistoria, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillar, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 79

Noes: Brand, Cooney, Courtney, Gilligan, Harrington, Kanduch, Lynch, Menahan, Moore, Mular, Nathe, O'Connell, Porter, Quilici, Teague, Tower, Tropila.

Total 17

Excused: Colburn.

Total 1

Absent or not voting: Kessler, Sivertsen, Waldron.

Total 3

## MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

1/25/77

Senate Bill No. 26, introduced by Graham

Senate Bill No. 47, introduced by Roberts, et al

Senate Bill No. 79, introduced by Regan, Graham

Senate Bill No. 92, introduced by Thiessen, et al

Senate Bill No. 94, introduced by Healy

Senate Bill No. 98, introduced by Hager

MONTANA LEGISLATIVE COUNCIL  
LIBRARY

### MOTIONS

Keyser moved that consideration of HB 129 and HB 185 be passed to the 24th Legislative Day. Motion carried.

Meloy moved that HB 81 be taken from Third Reading and referred to the Committee on Rules. Motion carried.

Meloy moved that there be a new House Rule adopted numbered H 1-6 to read as follows: If the motions "do pass" and "do not pass" or "indefinitely postponed" both fail on Second Reading, a motion to reconsider is in order in Committee of the Whole. Motion carried.

Marks moved to reconsider the action taken yesterday on Second Reading on HB 84. Motion carried. (49-48)

Brand moved that HB 322 be rereferred from the Committee on State Administration to the Committee on Business and Industry. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 524, introduced by Curtiss, Sivertsen, Staigmilller. Referred to Committee on Natural Resources.

HB 525, introduced by Mular, Brand, Dassinger, Feda, Metcalf, Gerke, Johnston, Kimble, Driscoll, Bradley, E. Gunderson, Meloy, Scully, Day, Vincent, Dussault, Robbins, W. Baeth, Huennekens, Lien, Quilici, Gilligan, Ryan, O'Connell, Manuel, Harper, Conroy, Uhde, Palmer, Colburn, Kennerly, Shelden, Hansen, Cooney, Kenny, Harrington, Lynch, Menahan, Halvorson, Bengtson, Pistoria, Teague, Hand, J. Gunderson, Staigmilller, Courtney, South, Kessler, Waldron, Hirsch, Holmes, Tropila, Kanduch, Frates, Williams, Estenson, R. Baeth, Cox. Referred to Committee on Business and Industry.

HB 526, introduced by Lien, Bertelsen, Harrington, Bengtson. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 527, introduced by Fagg, Ramirez, Porter, Holmes, Frates, Huennekens, Gerke. Referred to Committee on Taxation.

HB 528, introduced by Vincent, Huennekens, Meloy, Dussault, Bradley, (By Request of the Montana League of Cities and Towns). Referred to Committee on Natural Resources.

HB 529, introduced by Lien, Lynch, Harrington, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Public Health, Welfare and Safety.

HB 530, introduced by Menahan. Referred to Committee on Business and Industry.

HB 531, introduced by Lien, Day, Bradley. Referred to Committee on Taxation.



- HB 532, introduced by Dussault, Gerke, South, Huennekens, Holmes, Kimble, Scully, Lory, Fagg, Fabrega, Ramirez, W. Baeth. Referred to Committee on Judiciary.
- HB 533, introduced by Brand, Keyser. Referred to Committee on Highways and Transportation.
- HB 534, introduced by Brand, Mular, Kennerly, Teague, Menahan, Kanduch, Lynch. Referred to Committee on State Administration.
- HB 535, introduced by Williams, Ageson, Nathe, Tower, Sivertsen, Day, Kvaalen, Lien, Bardanouve, Bengtson, Lund, Halvorson, Manuel, Conroy, Turner. Referred to Committee on Business and Industry.
- HB 536, introduced by Severson, Wyrick, Sivertsen, Driscoll, Williams, Kropp. Referred to Committee on Business and Industry.
- HB 537, introduced by South. Referred to Committee on Local Government.
- HB 538, introduced by Nathe, Day. Referred to Committee on Natural Resources.
- HB 539, introduced by Ageson, Roth, Sivertsen, Lien, Teague, Fabrega, Conroy, Scully. Referred to Committee on Appropriations.
- HB 540, introduced by Ageson, Underdal, Johnston, Sivertsen, Hirsch. Referred to Committee on Natural Resources.
- HB 541, introduced by Meyer, Dussault, Estenson, J. Gunderson. Referred to Committee on Education.
- HB 542, introduced by Hirsch, (By Request of the Governor's Office). Referred to Committee on Natural Resources.
- HB 543, introduced by Bradley, Meloy, Shelden, Vincent, Harrington, Dussault, Halvorson, Metcalf, (By Request of the Department of Community Affairs). Referred to Committee on Natural Resources.
- HB 544, introduced by Fabrega, Moore, Tower, Shelden, Dussault, Holmes. Referred to Committee on Public Health, Welfare and Safety.
- HB 545, introduced by Barrett, Kessler. Referred to Committee on Education.
- HB 546, introduced by Barrett, Teague, Eudaily. Referred to Committee on Education.
- HB 547, introduced by Barrett. Referred to Committee on Appropriations.
- HB 548, introduced by Barrett, Teague, Eudaily. Referred to Committee on State Administration.
- HB 549, introduced by Seifert, Moore, Conroy, Johnston, Ageson, Kropp, Menahan, Smith, Fabrega, Feda, Tower, Ernst, Teague, Sivertsen, Manuel, Gilligan. Referred to Committee on State Administration.
- HB 550, introduced by Vincent, Meloy, (By Request of the Department of Community Affairs). Referred to Committee on Natural Resources.
- HB 551, introduced by Teague, Ageson, Seifert, Conroy, Williams, Mular. Referred to Committee on Taxation.
- HB 552, introduced by Dassinger, Fabrega, Day, Bengtson, Lynch, Harrington, Mular, Quilici, Courtney. Referred to Committee on Taxation.
- HJR 40, introduced by Dassinger, Lien, South, Hirsch, Mular, Day, Bengtson, Halvorson, Shelden, Smith, Meloy, Bradley, Huennekens, Kvaalen, Conroy, (By Request of the Governor). Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

- SB 26, introduced by Graham. Referred to Judiciary Subcommittee on Montana Water.



SB 47, introduced by Roberts, Brown, Boylan, Lensink. Referred to Committee on Fish and Game.

SB 79, introduced by Regan, Graham. Referred to Committee on Taxation.

SB 92, introduced by Thiessen, Lockrem, Himsl, Turnage. Referred to Committee on Judiciary.

SB 94, introduced by Healy, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

SB 98, introduced by Hager, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

W. Baeth in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 67 be amended as follows:

1. Amend page 3, section 2, lines 24 through line 2 on page 4.

Following: "premiums."

Strike: "Revenues from the tax shall be deposited into the earmarked revenue fund to the credit of the fire marshal bureau, department of justice, for the use of the bureau as provided by law." (80-14)

And as amended, do pass. (73-25)

That HB 175 do pass. (92-0)

That HB 178 do pass. (96-1)

That HB 203 do pass. (97-0)

That SB 15 be concurred in. (91-6)

That the Conference Committee Report on SJR 1 be passed for the day.

That HB 84 do not pass. (52-47)

That the committee rise and report. (W. Baeth, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

### PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

1/26/77

SB 8, be concurred in. Report adopted.

HB 176, do pass. Report adopted.

## THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 4 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley,

Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Severson, Sheldon, Sivertsen, South, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.  
Total 79

Noes: Bardanouve, Brand, Burnett, Cox, Davis, Ellerd, Ellison, Kenny, Kropp, McLane, Marks, Moore, Roth, Ryan, Seifert, Smith, Staigmiller, Stobie, Underdal, Wyrick.  
Total 20

Excused: Colburn.  
Total 1

Absent or not voting: None.  
Total 0

House Bill No. 108 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 96

Noes: Davis, Mular, Smith.  
Total 3

Excused: Colburn.  
Total 1

Absent or not voting: None.  
Total 0

House Bill No. 116 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Day, Dussault, Ellerd, Ellis, Estenson, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kennerly, Kessler, Kimble, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Sheldon, Sivertsen, South, Turner, Uhde, Vincent, Waldron, Williams, Mr. Speaker.  
Total 65

Noes: Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Ellison, Ernst, Eudaily, Feda, Hand, Hurwitz, Kanduch, Kenny, Keyser, Kropp, Kvaalen,

McLane, Meyer, Moore, Pistoria, Ryan, Seifert, Severson, Smith, Stobie, Teague, Tower, Tropila, Underdal, Vinger, Wood, Wyrick.

Total 33

Excused: Colburn.

Total 1

Absent or not voting: Staigmiller.

Total 1

House Bill No. 147 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 152 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 88

Noes: Barrett, Hirsch, Kropp, Kvaalen, Marks, Moore, Seifert, Smith, Stobie, Vinger, Wyrick.

Total 11

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 153 was passed by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Hirsch, Nathe.

Total 2

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 157 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 164 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Dassinger, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Kennerly, Kessler, Kimble, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Sheldon, South, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 56



Noes: Brand, Burnett, Cox, Curtiss, Davis, Day, Ellerd, Ellison, Ernst, Feda, Hansen, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 43

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 167 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 169 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Brand, Dassinger.

Total 2

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 202 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Estenson, Hirsch.

Total 2

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

House Joint Resolution No. 7 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, South, Teague, Tower, Tropila, Turner, Uhde, Vincent, Williams.

Total 65

Noes: Aageson, Barrett, Bengtson, Burnett, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Estenson, Hirsch, Jensen, McLane, Marks, Moore, Nathe, Palmer, Porter, Roth, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Underdal, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.

Total 34

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

House Joint Resolution No. 8 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch,

Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Colburn.

Total 1

Absent or not voting: Fabrega.

Total 1

Senate Bill No. 3 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

Senate Bill No. 7 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: J. Gunderson, Teague.

Total 2

Excused: Colburn.

Total 1

Absent or not voting: None.

Total 0

Senate Bill No. 20 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Colburn.

Total 1

Absent or not voting: Ellis, Smith.

Total 2

Meloy moved that the House adjourn until 1:00 p.m., January 27, 1977.

Motion carried.

House adjourned at 2:55 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana  
January 27, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Colburn, Kennerly, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman;

E. Gunderson, Vice-Chairman):

1/27/77

Correctly engrossed - HB 150.

Considered correctly engrossed - HB 173, HB 175, HB 178, HB 203.

Correctly printed - HB 65, HB 88, HB 176, HB 194, HB 226.

STATE ADMINISTRATION (Brand, Chairman):

1/26/77

HJR 14, introduced resolution, be amended as follows:

1. Amend page 2.

Following: line 10

Insert: "Be it further resolved: That the study committee request the assistance of state and local election officials in conducting its study."

And as amended, be adopted. Report adopted.

HB 248, do not pass.

HB 265, do not pass.

BUSINESS AND INDUSTRY (Vincent, Chairman):

1/27/77

HJR 9, do pass. Report adopted.

HB 71, second reading copy, be amended as follows:

1. Amend page 4, section 1, subsection (4), line 1.

Following: "(an)"

Strike: "the"

Insert: "an"

2. Amend page 4, section 1, subsection (4), line 2.

Following: "(greatest)"

Insert: "not in excess of the greatest"

3. Amend page 4, section 1, subsection (4)(ii), line 5.

Following: "the"

Strike: "unpaid"

Insert: "ending"

4. Amend page 4, section 1, subsection (4)(iii), line 10.

Before: "balance"

Strike: "ending"

Insert: "beginning"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 163, introduced bill, be amended as follows:

1. Amend page 9, section 2, subsection (16), line 15.

Following: "(area wide)"

Strike: "arewide"

Insert: "areawide"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 214, do pass. Report adopted.

HB 308, introduced bill, be amended as follows:

1. Amend page 2, section 2, subsection (1)(a), lines 24 through 25, and line 1 on page 3.

Following: "graveyards"

Strike: ", but any such contract may be entered into only with a motor vehicle wrecking facility licensed under the provisions of this chapter"

2. Amend page 3, section 2, subsection (1)(b), line 5.

Following: "graveyards"

Insert: ", but any such contract may be entered into only with a motor vehicle wrecking facility licensed under the provisions of this chapter."

And as amended, do pass. Report adopted.

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 228 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harrington, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Bradley, Brand, Cooney, Courtney, Hand, Harper, McLane, Meloy, Moore, Mular, Uhde, Vincent.

Total 12

Excused: Colburn, Kennerly.

Total 2

Absent or not voting: Dussault, Ellis, Hirsch, Huennekens, Kimble, Sivertsen.

Total 6

## REPORTS OF SELECT COMMITTEES

January 27, 1977

AMENDED JOINT CONFERENCE COMMITTEE REPORT ON  
HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION NO. 1

(1st report, January 25, 1977)

Mr. Speaker and President of the Senate:

We, your Joint Conference Committee on House Amendments to Senate Joint Resolution No. 1 met on January 24, 1977 and considered House Committee on Rules amendments and recommend as follows:

That the House recede from amendment numbers 1, 2, 3, and 4; these amendments read as follows:

1. Amend page 22, section 6-7, lines 17 and 18.

Following: "bills"

Insert: ", committee bills"

2. Amend page 23, section 6-7, line 2.

Following: "bills"

Insert: "and committee bills"

3. Amend page 23, section 6-7, line 3.

Strike: "twenty-fifth"

Insert: "thirtieth"

4. Amend page 43, section 8-8, lines 14 and 15.

Following: "include"

Strike: "only those newspapers available to the general public through newsstand distribution"

Insert: "the Associated Press, United Press International, Great Falls Tribune, Lee Newspapers, and other daily and weekly newspapers of general interest and circulation, including student newspapers from institutions of higher education"

Having receded from these amendments, the committee recommended further, that Senate Joint Resolution No. 1, third reading copy, be amended as follows:

1. Amend page 22, section 6-7, line 17.

Following: "bills"

Insert: ", Committee Bills approved by the rules committee of the house in which the committee bill originated"

2. Amend page 23, section 6-7, line 3.

Following: "day."

Insert: "Committee bills approved by the rules committee of the house in which the committee bill originated may be introduced by the 40th legislative day."

3. Amend page 43, section 8-8, lines 10 through 19.

Following: line 9

Strike: lines 10 through 19 in their entirety.

FOR THE SENATE

Senator Murphy  
Senator Turnage  
Senator Roberts

FOR THE HOUSE

Representative Driscoll  
Representative Meloy  
Representative Marks

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

1/26/77

Senate Bill No. 11, introduced by Warden

Senate Bill No. 42, introduced by Towe, Turnage

Senate Bill No. 43, introduced by Towe, Turnage

Senate Bill No. 53, introduced by Towe, Turnage

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 553, introduced by Driscoll, Meloy, (By Request of the Governor). Referred to Committee on Natural Resources.

HB 554, introduced by the Committee on Appropriations. Referred to Committee on Appropriations.

HB 555, introduced by Ellis, Barrett, J. Gunderson, Kimble. Referred to Committee on Taxation.

HB 556, introduced by O'Keefe. Referred to Committee on Business and Industry.

HB 557, introduced by J. Gunderson, Scully, Kimble, Mular, Staigmiller. Referred to Committee on State Administration.

HB 558, introduced by Fabrega, Conroy, Moore, Pistoria, Meyer, Dassinger, Aageson, Sivertsen, Day. Referred to Committee on Business and Industry.

HB 559, introduced by Teague, O'Connell, Pistoria, Kenny, Moore, Williams, Tropila, J. Gunderson, Frates, E. Gunderson, Bengtson, Lien, Gerke, Aageson, McLane, Fabrega, Meyer, Keyser, Kessler, Staigmiller, Dassinger, Hand, Burnett, Menahan, Roth, Mular. Referred to Committee on Judiciary.

HB 560, introduced by Burnett. Referred to Judiciary Subcommittee on Montana Water.

HB 561, introduced by Metcalf, Bradley, Meloy, Huennekens, Cox, Estenson, South, Harper, Kessler, Cooney, Ellis, Eudaily. Referred to Committee on Business and Industry.

HB 562, introduced by Menahan, Lynch, Lien, Harrington, Eudaily, Bengtson. Referred to Committee on State Administration.

HB 563, introduced by Vincent. Referred to Committee on State Administration.

HB 564, introduced by Barrett, Lory. Referred to Committee on Business and Industry.

HB 565, introduced by Eudaily, Holmes, Frates, Lory, Gilligan, Teague, Bengtson, Barrett, Metcalf, Lynch, Courtney, Menahan, Kessler, Harrington, Vincent. Referred to Committee on State Administration.

HB 566, introduced by Vincent, Meloy, Huennekens, Estenson, Williams, Hansen, Severson, Burnett, Dassinger, O'Connell, Pistoria, Courtney, Bengtson, E. Gunderson, Harper, J. Gunderson, Nathe, Kimble, Scully, Uhde, Kennerly, Lien, Mular, W. Baeth, Johnston, Driscoll, Hirsch, Kessler, Quilici, Harrington, Palmer, Ernst, Aageson, Cooney, Gerke, Roth, Turner, Holmes, Halvorson, Waldron, Dussault, Metcalf, Shelden. Referred to Committee on State Administration.

HB 567, introduced by Huennekens, Halvorson, Waldron. Referred to Committee on Judiciary.

HB 568, introduced by Waldron. Referred to Committee on Fish and Game.

HB 569, introduced by Waldron, Cooney, Marks, Mular, Metcalf, Eudaily, Fagg, Ellis, Palmer, E. Gunderson, Bradley, Meloy, Frates,



Estenson, W. Baeth, Uhde, Lund, McLane, Hirsch, Quilici, Hand, Lynch, Fabrega, Williams, Kimble, Huennekens, Vincent, Holmes, Teague, Dassinger, Halvorson, Dussault, Sheldon, Brand, Gerke, J. Gunderson, Johnston, O'Keefe, Pistoria, O'Connell, Colburn. Referred to Committee on Labor and Employment Relations.

HB 570, introduced by McLane, Ramirez, Porter, Davis, Curtiss, Moore, Vinger, Feda, Bengtson, Scully, Keyser, Fagg, Day, Roth, Williams, Lynch, Gerke, Ellison, Teague, Eudaily, Cox, Johnston, Lien, Holmes, Jensen, Conroy, Quilici, Marks. Referred to Committee on Business and Industry.

HB 571, introduced by Meloy. Referred to Committee on Education.

HB 572, introduced by Manuel, (By Request of the Department of Agriculture). Referred to Committee on Appropriations.

HB 573, introduced by Huennekens, Vincent, Harrington, Menahan, Frates, Meloy. Referred to Judiciary Subcommittee on Montana Water.

HB 574, introduced by Kimble, Lynch, Teague. Referred to Committee on Public Health, Welfare and Safety.

HB 575, introduced by Kessler, Holmes. Referred to Committee on Taxation.

HB 576, introduced by Fabrega, Huennekens, (By Request of the Department of Revenue). Referred to Committee on Taxation.

HJR 41, introduced by Teague, Kenny, Ryan, Conroy, Dassinger. Referred to Committee on Agriculture, Livestock and Irrigation.

HJR 42, introduced by Kessler, Cooney, Harper, Kimble, Johnston, Huennekens, Bardanouve, Vincent. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 11, introduced by Warden. Referred to Committee on State Administration.

SB 42, introduced by Towe, Turnage, (Interim Judiciary Committee Bill). Referred to Committee on Judiciary.

SB 43, introduced by Towe, Turnage, (Interim Judiciary Committee Bill). Referred to Committee on Judiciary.

SB 53, introduced by Towe, Turnage, (Interim Judiciary Committee Bill). Referred to Committee on Judiciary.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Halvorson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 7 do pass. (59-35)

Bradley excused at this time.

That HB 205 do pass. (76-19)

That HB 244 do pass. (79-15)

That HB 245 do pass. (50-44)

That HB 256 do pass. (79-16)

That HB 258 do pass. (93-1)

That HB 275 do pass. (91-0)

That SB 8 be concurred in. (93-0)

That SB 14 be concurred in. (96-0)

That SB 19 be concurred in. (94-0)

That the Conference Committee Report on SJR 1 be adopted. (86-10)

That the committee rise and report. (Halvorson, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

EDUCATION (Dussault, Chairman):

1/27/77

HB 66, introduced bill, be amended as follows:

1. Amend page 1, section 1, lines 13 and 14.

Following: "school"

Strike: "shall be included with the budget request of"

Insert: "submitted through"

2. Amend page 1, section 1, line 15.

Before: "of"

Strike: "governance, management, and control"

Insert: "general supervision"

3. Amend page 1, section 2, subsection (3), line 24.

Strike: "at minimum cost"

4. Amend page 4, after section 8, line 25.

Insert: new section 9 to read as follows:

"Section 9. The board of public education may establish a cost recovery fee for training of commercially employed firefighters and such fees shall be deposited to the general fund."

Renumber: subsequent section.

And as amended, do pass. Report adopted.

HB 199, introduced bill, be amended as follows:

1. Amend title, page 1, line 4.

Following: "to"

Strike: "require"

Insert: "allow"

2. Amend page 1, section 1, line 11.

Following: "district"

Strike: "shall"

Insert: "may"

And as amended, do not pass.

HB 315, do pass. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman):

1/27/77

HB 209, do not pass.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman):

1/25/77

HB 82, introduced bill, be amended as follows:

1. Amend title, lines 6 and 7.  
Following: "to"  
Strike: "one-half ton in weight"  
Insert: "three-quarter ton GVW-rated capacity"
2. Amend page 1, section 1, line 15.  
Following: "and"  
Strike: "permanently and totally"  
Insert: "100%"
3. Amend page 1, section 1, line 20.  
Strike: "one-half ton in weight"  
Insert: "three-quarter ton GVW-rated capacity"
4. Amend page 1, section 1, line 23.  
Following: "of"  
Strike: "permanent and total"  
Insert: "100%"
5. Amend page 2, section 2, line 5.  
Following: "to"  
Strike: "one-half ton in weight"  
Insert: "three-quarter ton GVW-rated capacity"

And as amended, do pass. Report adopted.

HB 87, do pass. Report adopted.

HB 159, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 24.  
Following: "\$15"  
Insert: ", which shall be deposited in the county general fund"
2. Amend page 3, section 2, subsection 2, line 10.  
Following: "\$15"  
Insert: ", which shall be deposited in the county general fund"

And as amended, do pass. Report adopted.

### MOTIONS

Brand moved that HB 133 be rereferred from the Committee on State Administration to the Committee on Rules. Motion carried.

Meloy moved that the rules be suspended and that the Conference Committee Report on SJR 1 be placed on Third Reading this day. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 15 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie,

Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.

Total 83

Noes: Brand, Burnett, Cox, Fabrega, E. Gunderson, Keyser, Kropp, Moore, Nathe, Quilici, Roth, Smith, Waldron, Wyrick.

Total 14

Excused: Bradley, Colburn, Kennerly.

Total 3

Absent or not voting: None.

Total 0

Conference Committee Report on SJR No. 1 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Brand, Fabrega, Feda, J. Gunderson, Holmes, Meyer, Mular, Teague, Vincent, Waldron.

Total 10

Excused: Bradley, Colburn, Kennerly.

Total 3

Absent or not voting: Bertelsen, Roth.

Total 2

Meloy moved that the House adjourn until 1:00 p.m., January 28, 1977.

Motion carried.

House adjourned at 2:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana  
January 28, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Colburn, Davis, Ellerd, Kennerly, Seifert, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Correctly printed - HB 214, HB 315, HB 320, HJR 9.	1/27/77
Correctly engrossed - HB 67.	1/28/77
Considered correctly engrossed - HB 7, HB 205, HB 244, HB 245, HB 256, HB 258, HB 275.	1/28/77
Correctly printed - HB 87, HB 137.	1/28/77

#### APPROPRIATIONS (Bardanoue, Chairman): 1/28/77

HB 64, introduced bill, be amended as follows:

1. Amend page 2, section 2, line 1.  
Following: "program,"  
Strike: "\$245,133"  
Insert: "\$247,633"

And as amended, do pass. Report adopted.

#### LOCAL GOVERNMENT (Robbins, Chairman): 1/28/77

HB 186, introduced bill, be amended as follows:

1. Amend title, lines 4 through 6.  
Following: "an act"  
Strike: "to change the requirement for petitioners for a county bond election from 20% to 25%,"
2. Amend title, line 6.  
Following: "of"  
Strike: "such a"  
Insert: "a county"
3. Amend page 2, section 1, line 1.  
Following: "at least"  
Strike: "25%"  
Insert: "20%"
4. Amend page 2, section 1, line 4.  
Following: "than"  
Strike: "45"  
Insert: "60"
5. Amend page 2, section 1, line 6.  
Following: "following the"  
Strike: "45-day"  
Insert: "60-day"

6. Amend page 3, section 2, line 22.

Following: "than"

Strike: "25%"

Insert: "20%"

And as amended, do pass. Report adopted.

HB 187, introduced bill, be amended as follows:

1. Amend title, page 1, lines 4 through 7.

Following: "an act"

Strike: lines 4 through 7 in their entirety

Insert: "to require approval by a majority of the qualified electors voting before a local government may contract with a private vendor for certain services."

2. Amend the bill, page 1.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Vote required to contract for certain services. (1)

Except as provided in subsection (2), a local government may contract with a private vendor to provide water, sewer, garbage collection, parking, or fire protection services only if the contract is voted upon and approved by a majority of the qualified electors of the local government voting on the question.

(2) (a) If a local government is providing a service listed in subsection (1) by means of a contract with a private vendor (on the effective date of this act), the local government may continue to provide that service by means of contracting with private vendors without submitting any future contracts to voter approval as required by subsection (1). This exemption includes new or renewal contracts for the same service with the same vendor or different vendors. The exemption is lost if the local government ceases to provide the service by means of a private vendor.

(b) In an emergency situation, a local government may enter a contract with a private vendor to provide any service listed in subsection (1). The contract may only cover the period of time during which the emergency exists."

And as amended, do not pass.

JUDICIARY (Scully, Chairman):

1/28/77

HB 261, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman):

1/28/77

HB 375, do pass. Report adopted.

HB 376, do pass. Report adopted.

Objection raised by Pistoria on 1/27/77 on adverse committee report on HB 187. Referred to Second Reading.

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HB 199 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Conroy, Cox, Dassinger, Day, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Shelden, Sivertsen, Smith, Staigmillier, Tower, Tropila, Underdal, Vinger, Williams, Wood.

Total 61

Noes: Bradley, Brand, Cooney, Courtney, Curtiss, Dussault, Ernst, Frates, Gilligan, Gould, J. Gunderson, Harper, Holmes, Huennekens, Kessler, Lynch, McLane, Meloy, Metcalf, Ryan, Scully, Teague, Turner, Uhde, Vincent, Waldron, Wyrick, Mr. Speaker.

Total 28

Excused: Colburn, Davis, Ellerd, Kennerly, Seifert.

Total 5

Absent or not voting: R. Baeth, Burnett, Hirsch, Severson, South, Stobie.

Total 6

On motion by Robbins, and in accordance with the 24-hour rule, the adverse committee report on HB 209 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Fagg, Kenny, Porter, Ramirez.

Total 4

Excused: Colburn, Davis, Ellerd, Kennerly, Seifert.

Total 5

Absent or not voting: Hirsch, Kimble, South.

Total 3

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 248 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Brand, Courtney, Dussault, Estenson, Harrington, Kimble, Meloy, Moore, Mular, Teague, Vincent.

Total 11

Excused: Colburn, Davis, Ellerd, Kennerly, Seifert.

Total 5

Absent or not voting: Hirsch, Lynch, South.

Total 3

On motion by Brand, and in accordance with the 24-hour rule the adverse committee report on HB 265 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorsen, Hand, Harrington, Hurwitz, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Marks, Menahan, Meyer, O'Connell, O'Keefe, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Severson, Sheldon, Smith, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wyrick, Mr. Speaker.

Total 63

Noes: Ageson, Bradley, Dussault, Estenson, Feda, E. Gunderson, Hansen, Harper, Holmes, Huennekens, Kenny, Kessler, Kimble, Lund, Manuel, Meloy, Metcalf, Moore, Mular, Nathe, Porter, Sivertsen, Staigmiller, Stobie, Teague, Vincent, Waldron, Wood.

Total 28

Excused: Colburn, Davis, Ellerd, Kennerly, Seifert.

Total 5

Absent or not voting: Hirsch, Palmer, Scully, South.

Total 4

#### AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman):

SB 55, be concurred in. Report adopted.

HB 452, do pass. Report adopted.

HB 240, do pass. Report adopted.

1/27/77

#### MESSAGES FROM THE OTHER HOUSE

Bill concurred in by the Senate and returned  
to the House:

1/27/77

House Bill No. 16, introduced by Bardanouve

Bills passed by the Senate and transmitted to the House  
for concurrence:

1/27/77

Senate Bill No. 22, introduced by Watt

Senate Bill No. 30, introduced by Hazelbaker

Senate Bill No. 40, introduced by Towe, Turnage

Senate Bill No. 46, introduced by Hager

Senate Bill No. 65, introduced by Turnage, Mathers, et al

Senate Bill No. 113, introduced by Dover, E. Smith, Hager

Senate Bill No. 116, introduced by Flynn

Senate Bill No. 131, introduced by McOmber, Hazelbaker, Etchart

Senate Bill No. 161, introduced by Stephens

#### MOTIONS

Huennekens moved that HB 215 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Taxation. Motion carried.



Dussault moved that HB 411 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Judiciary. Motion carried.

Scully moved that HB 65 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

Brand moved that HB 462 and HB 382 be rereferred from the Committee on State Administration to the Committee on Judiciary. Motion carried.

Marks moved that the rules be suspended and that HB 64 be placed on Second Reading today. Motion carried.

Meloy moved that HB 81 be rereferred from the Committee on Rules to the Committee on Judiciary. Motion carried.

Meloy moved that HB 133 be rereferred from the Committee on Rules to the Committee on State Administration. Motion carried.

Meloy moved that HB 346 be rereferred from the Committee on Labor and Employment Relations to the Select Committee on Employee Compensation. Motion carried.

Meloy moved that HB 561 be rereferred from the Committee on Business and Industry to the Committee on Natural Resources. Motion carried.

Meloy moved that HB 320 be rereferred from Second Reading to the Committee on Judiciary. Motion carried.

Vincent moved that HB 525 be rereferred from the Committee on Business and Industry to the Committee on State Administration. Motion carried.

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 577, introduced by Conroy, Day, Seifert, Marks, Moore, Ellison, Underdal, Kropp, Menahan, Staigmiller, Fabrega, Lien, Wyrick, Vinger, Aageson, Sivertsen, McLane. Referred to Committee on Natural Resources.

HB 578, introduced by Courtney, Harrington, Eudaily, J. Gunderson, Barrett, Bengtson, Porter, Menahan, Kessler. Referred to Committee on Education.

HB 579, introduced by Brand, Dassinger, Fedas, Mular, Cox. Referred to Committee on Highways and Transportation.

HB 580, introduced by Brand, Dassinger, Fedas, Mular, Robbins, Cooney, Hirsch, Cox. Referred to Committee on Highways and Transportation.

HB 581, introduced by Dassinger, Brand, Mular, Robbins, Cooney, Hirsch, Cox. Referred to Committee on Highways and Transportation.

HB 582, introduced by Fedas, Mular, Day, Brand, Dassinger, Hirsch, Cox. Referred to Committee on Highways and Transportation.

HB 583, introduced by Ramirez, Day. Referred to Committee on Taxation.

HB 584, introduced by Ramirez, Fagg, Porter, Fabrega, Williams. Referred to Committee on Taxation.

HB 585, introduced by Vincent, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Judiciary.

HB 586, introduced by Estenson, (By Request of the Department of Livestock). Referred to Committee on Taxation.

HB 587, introduced by Moore. Referred to Committee on State Administration.

HB 588, introduced by Harper, (By Request of the Department of State Lands). Referred to Committee on Natural Resources.

HB 589, introduced by Williams, Gerke, Severson, McLane. Referred to Committee on Judiciary.

HB 590, introduced by Williams, McLane, Scully, Teague, Ramirez, Gerke, Bengtson. Referred to Committee on Judiciary.

HB 591, introduced by Fabrega, Conroy, Meyer, Feda, Nathe, Ellis. Referred to Committee on Taxation.

HB 592, introduced by Meloy. Referred to Committee on Natural Resources.

HB 593, introduced by Conroy, Marks, Fabrega, Ellerd, Manuel, Seifert, Kvaalen, Johnston, Tower. Referred to Committee on Natural Resources.

HB 594, introduced by South. Referred to Committee on Public Health, Welfare and Safety.

HJR 43, introduced by Fabrega, Conroy, Meyer, Severson, Ellison, O'Keefe, Kropp, Burnett, Wyrick, Porter, Day, Feda, Lund, Nathe, Sivertsen, Seifert, Marks. Referred to Judiciary Subcommittee on Montana Water.

The following Senate bills were introduced, read first time and referred to committees:

SB 22, introduced by Watt. Referred to Committee on Public Health, Welfare and Safety.

SB 30, introduced by Hazelbaker. Referred to Committee on Judiciary.

SB 40, introduced by Towe, Turnage, (Interim Judiciary Committee Bill). Referred to Committee on Judiciary.

SB 46, introduced by Hager, (By Request of the Department of Livestock). Referred to Committee on Business and Industry.

SB 65, introduced by Turnage, Mathers, Towe, Watt, Goodover, Healy, Brown, Roskie, Norman. Referred to Committee on Taxation.

SB 113, introduced by Dover, E. Smith, Hager. Referred to Committee on Public Health, Welfare and Safety.

SB 116, introduced by Flynn. Referred to Committee on Local Government.

SB 131, introduced by McOmber, Hazelbaker, Etchart. Referred to Committee on Agriculture.

SB 161, introduced by Stephens. Referred to Committee on State Administration.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lien in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 88 be passed for the day.

That HB 176 do pass. (90-2)

Kennerly present at this time.

That HB 194 be amended as follows:

1. Amend page 1, section 1, line 24.

Strike: "award"

Insert: "game" (77-16)

And be further amended as follows:

1. Amend page 1, section 1, line 18.

Following: "random"

Insert: ", but not including an electrically or mechanically operated game or games wherein an electrically or mechanically operated device is used other than a device used to announce the numbers or symbols as they are drawn" (77-17)

And as amended, be passed for the day.

That HB 214 do pass. (90-0)

That HB 226 do pass. (89-0)

That HB 315 do pass. (81-11)

That HJR 9 do pass. (85-7)

That HB 64 do pass. (95-0)

That the committee rise and report. (Lien, Chairman) Report adopted.

### MOTIONS

Meloy moved that the rules be suspended and that HB 64 be placed on Third Reading today. Motion carried.

Teague moved that HB 194 be rereferred from Second Reading to the Committee on Rules. Motion carried.

Huennekens moved that HB 88 be rereferred from Second Reading to the Committee on Taxation. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 150 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kennerly, Kessler, Kimble, Lien, Lory, Lund, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Scully, Shelden, South, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 56

Noes: Aageson, Burnett, Conroy, Cox, Curtiss, Ellison, Ernst, Feda, Gerke, Gould, Hand, Hurwitz, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lynch, McLane, Marks, Meyer, Moore, O'Connell, Quilici, Roth, Ryan, Severson, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Turner, Underdal, Vinger, Wood, Wyrick.



Total 39

Excused: Colburn, Davis, Ellerd, Seifert.

Total 4

Absent or not voting: Harper.

Total 1

House Bill No. 173 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Burnett, Moore.

Total 2

Excused: Colburn, Davis, Ellerd, Seifert.

Total 4

Absent or not voting: None.

Total 0

House Bill No. 175 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Colburn, Davis, Ellerd, Seifert.

Total 4

Absent or not voting: None.

Total 0

House Bill No. 178 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson,



Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Teague.

Total 1

Excused: Colburn, Davis, Ellerd, Seifert.

Total 4

Absent or not voting: None.

Total 0

House Bill No. 203 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Moore.

Total 1

Excused: Colburn, Davis, Ellerd, Seifert.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 8 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Colburn, Davis, Ellerd, Seifert.

Total 4

Absent or not voting: Kvaalen, Palmer.

Total 2

Senate Bill No. 14 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Kimble.

Total 1

Excused: Colburn, Davis, Ellerd, Seifert.

Total 4

Absent or not voting: Hirsch, Kessler, Kvaalen, Palmer.

Total 4

Senate Bill No. 19 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Hake, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Colburn, Davis, Ellerd, Seifert.

Total 4

Absent or not voting: Kvaalen, Palmer, Pistoria, Stobie.

Total 4

House Bill No. 64 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox,

Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 94

Noes: None.  
Total 0

Excused: Colburn, Davis, Ellerd, Seifert.  
Total 4

Absent or not voting: Harper, Kvaalen.  
Total 2

### MOTIONS

Meloy moved that HB 7 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Meloy moved that the House adjourn until 9:30 a.m., January 29, 1977.

Motion carried.

House adjourned at 2:50 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## TWENTY-FOURTH LEGISLATIVE DAY

Helena, Montana  
January 29, 1977

House Chambers  
Capitol Building

House convened at 9:30 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Colburn, Davis, Tower, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

Lund introduced to the assembly Mrs. Ron Marlenee, wife of the Eastern District Congressman. Driscoll then introduced Congressman Marlenee, who delivered a brief address to the members.

### REPORTS OF STANDING COMMITTEES

BILLS (E. Gunderson, Vice-Chairman): 1/29/77  
Correctly printed - HJR 14, HB 66, HB 71, HB 82, HB 89, HB 159,  
HB 163, HB 240, HB 261, HB 308, HB 375, HB 376, HB 452.  
Considered correctly engrossed - HB 176, HB 214, HB 226, HB 315, HJR  
9.

TAXATION (Huennekens, Chairman): 1/28/77  
HB 19, introduced bill, be amended as follows:

1. Amend page 8, section 5, line 11.  
Following: line 10  
Insert: "final written"
2. Amend page 8, section 5, line 11.  
Following: "determination"  
Strike: "of"  
Insert: "by"  
Following: "the"  
Strike: "department"  
Insert: "director"
3. Amend page 12, section 10, line 14.  
Following: "the"  
Strike: "department"  
Insert: "board"
4. Amend page 12, section 10, line 21.  
Following: "the"  
Strike: "department"  
Insert: "board"

And as amended, do pass. Report adopted.

HB 25, introduced bill, be amended as follows:

1. Amend page 2, section 1, subsection (2), line 1.  
Following: "(2)"  
Strike: "utility"
2. Amend page 2, section 1, line 8.

Following: "thereon,"

Insert: "dams and power houses,"

3. Amend page 2, section 2, line 18.

Following: "Within"

Strike: "30"

Insert: "20"

4. Amend page 2, section 2, line 23.

Following: "Act."

Insert: "However, a party has the right of discovery prior to any assessment revision review conference."

5. Amend page 3, section 4, lines 19 through line 1 on page 4.

Following: "84-711."

Strike: Lines 19 through 25 on page 3 through line 1 on page 4.

Insert: "Each month or part of a month a report is delinquent, the department shall impose and collect a \$25 penalty, the total not to exceed \$200, and shall deposit such penalty to the credit of the general fund of the state of Montana. The department will also inform its agents in the counties of the delinquency and the agents shall assess a penalty of  $\frac{1}{2}$  of 1% of the tax due for each month or part of a month the report is delinquent."

6. Amend page 14, section 10, line 5.

Following: "this state"

Insert: "or more than one state"

And as amended, do pass. Report adopted.

HB 102, do not pass.

HB 168, do not pass.

HB 321, do pass. Report adopted.

HB 415, do pass. Report adopted.

#### LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman): 1/28/77

HB 75, do not pass.

HB 239, do pass. Report adopted.

HB 241, do pass. Report adopted.

HB 290, do pass. Report adopted.

#### JUDICIARY (Scully, Chairman):

HB 117, do not pass.

1/28/77

HB 280, introduced bill, be amended as follows:

1/28/77

1. Amend title, line 6.

Following: "prosecution"

Strike: "without"

Insert: "with"

2. Amend page 1, section 1, line 15.

Following: "time"

Insert: " , "

3. Amend page 1, section 1, line 16.

Following: "trial,"

Strike: "without"

Insert: "with"

And as amended, do pass. Report adopted.

HB 310, introduced bill, be amended as follows:

1/27/77

1. Amend page 2, section 1, subsection (1)(c), line 8.

Following: "1977."

Insert: "However, the board may not extend its date beyond March 1, 1979."

And as amended, do pass. Report adopted.

HJR 26, do pass. Report adopted.

1/27/77

STATE ADMINISTRATION (Brand, Chairman):

1/28/77

HB 289, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (b), line 17.

Following: "(persons)"

Strike: "one person"

Insert: "two persons"

2. Amend page 1, section 1, subsection (b), line 18.

Following: "(are members)"

Strike: "is a member"

Insert: "are members"

3. Amend page 1, section 1, subsection (d), line 22.

Following: "((2))"

Strike: "two persons"

Insert: "one person"

4. Amend page 1, section 1, subsection (d), line 23.

Following: line 22

Strike: "representatives"

Insert: "a representative"

5. Amend page 2, section 2, line 12.

Following: "82A-212(2)"

Strike: "(b)"

Insert: "(d)"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 328, do pass. Report adopted.

HB 359, do pass. Report adopted.

RULES (Meloy, Chairman):

1/29/77

Representative Scully's amendment to HB 194 is out of place, and therefore out of order. Report adopted.

Objection raised by Brand on 1/28/77 on adverse committee report on HB 117. Referred to Second Reading.

Objection raised by O'Keefe on 1/28/77 on adverse committee report on HB 168. Referred to Second Reading.

## MESSAGES FROM THE OTHER HOUSE

Report adopted on roll call vote:

1/28/77

Conference Committee on House Amendments to Senate Joint Resolution No. 1

Bills passed by the Senate and transmitted to the House for concurrence:

1/28/77

Senate Bill No. 38, introduced by Murphy, Hazelbaker

Senate Bill No. 58, introduced by Rasmussen

Senate Bill No. 99, introduced by Jergeson, Kolstad, McOmber

### MOTIONS

Meloy moved that consideration of HB 79 be passed to the 25th Legislative Day. Motion carried.

Meloy moved that HB 129 be placed below HB 185 on the Second Reading calendar today. Motion carried.

Kvaalen moved that HB 137 be passed for the day. Motion carried.

Meloy moved that HB 556 be rereferred from the Committee on Business and Industry to the Committee on Judiciary. Motion carried.

Keyser moved that HB 185 and HB 129 be passed to the 26th Legislative Day. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 595, introduced by Fagg, Ramirez, Porter, Menahan, Harper, Fabrega, Williams, Huennekens. Referred to Committee on Taxation.

HB 596, introduced by Shelden, (By Request of the State Department of Education). Referred to Committee on Education.

HB 597, introduced by Stobie, Tower, Vinger, Driscoll, Bradley, Vincent. Referred to Committee on Business and Industry.

HB 598, introduced by Driscoll. Referred to Committee on Business and Industry.

HB 599, introduced by Lien, Fagg, Sivertsen, Hirsch, Underdal, Conroy. Referred to Committee on Taxation.

HB 600, introduced by Harper. Referred to Committee on Local Government.

HB 601, introduced by Bradley. Referred to Committee on Highways and Transportation.

HB 602, introduced by O'Keefe, Fagg. Referred to Committee on Local Government.

HB 603, introduced by Fabrega, Conroy, O'Connell, Scully, Fagg, Meyer, Ramirez, W. Baeth. Referred to Committee on Taxation.

HB 604, introduced by Shelden, Ellis, Kessler. Referred to Committee on Natural Resources.

HB 605, introduced by O'Connell, Fabrega, Meyer, Gilligan, Kenny, Vincent, Staigmillier, Bardanouve, Bertelsen, Sivertsen, Ryan, Ellis, Kvaalen, Kessler, Huennekens, Hirsch, Uhde, Halvorsen, Williams, Hand, Meloy, Driscoll, Tropila, Courtney. Referred to Committee on State Administration.

HB 606, introduced by Waldron. Referred to Committee on Taxation.

HB 607, introduced by Fagg. Referred to Committee on Judiciary.

HB 608, introduced by Hansen, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Public Health, Welfare and Safety.

HB 609, introduced by Kimble, Harper, Scully, Uhde, Waldron. Referred to Committee on Natural Resources.

HB 610, introduced by Manuel, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Taxation.

HB 611, introduced by Brand, Keyser, Hand, Menahan, Lynch, Quilici, Johnston. Referred to Committee on Appropriations.



HB 612, introduced by Brand, (By Request of the Governor). Referred to Committee on Labor and Employment Relations.

HB 613, introduced by Halvorson. Referred to Committee on Taxation.

HB 614, introduced by Pistoria, Burnett. Referred to Committee on Natural Resources.

HB 615, introduced by Roth, (By Request). Referred to Committee on Appropriations.

HB 616, introduced by Fabrega, Moore. Referred to Committee on Taxation.

HB 617, introduced by Fabrega, Moore. Referred to Committee on Taxation.

HB 618, introduced by South. Referred to House Select Committee on Employee Compensation.

HB 619, introduced by South. Referred to Committee on Education.

HJR 44, introduced by Moore, Fabrega, Marks, Porter. Referred to Committee on Education.

HJR 45, introduced by Driscoll, Cooney, Kimble, Dussault, Holmes. Referred to Committee on Education.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Bertelsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 194 be passed to the bottom of the board.

That HB 87 do not pass. (55-38)

That SB 55 be concurred in. (93-0)

That HB 194 be passed to the 25th Legislative Day.

That the committee rise and report and beg leave to sit again. (Bertelsen, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

EDUCATION (Dussault, Chairperson):

1/29/77

HB 69, introduced bill, be amended as follows:

1. Amend title, page 1, line 7.

Following: "an"

Strike: "executive"

Insert: "administrative"

2. Amend title, page 1, line 9.

Following: "Montana"

Insert: ", and to contract with the office of superintendent of public instruction and other appropriate agencies on vocational educational program offerings"

3. Amend page 1, section 1, subsection (2), line 20.

Following: "unnecessary"

Insert: "staff or program"

4. Amend page 2, section 1, subsection (3), line 24.

Following: line 23

Strike: "executive"

Insert: "administrative"

5. Amend page 2, section 1, subsection (3), line 24.

Following: "The"

Strike: "executive"

Insert: "administrative"

6. Amend page 3, section 1, subsection (4), line 2.

Following: "of the"

Strike: "executive"

Insert: "administrative"

7. Amend page 3, section 1.

Following: line 3

Insert: new subsections (5) and (6) as follows:

"(5) The board of public education may contract with the superintendent of public instruction or other appropriate agencies, organizations or individuals to provide vocational educational programs for the people of Montana.

(6) The board of public education shall contract with the superintendent of public instruction for the administration, operation and supervision of elementary and secondary vocational education programs for the 1977-79 biennium."

8. Amend page 3, section 2, line 7.

Following: "(the)"

Strike: "executive"

Insert: "administrative"

9. Amend page 3, section 2, line 9.

Following: "(the)"

Strike: "executive"

Insert: "administrative"

10. Amend page 5, section 3, subsection (2), line 1.

Following: "(the)"

Strike: "executive"

Insert: "administrative"

11. Amend page 5, section 3, subsection (2), line 3.

Following: line 2

Strike: "executive"

Insert: "administrative"

12. Amend page 5, section 3, subsection (2), line 7.

Following: "(instruction)"

Strike: "executive"

Insert: "administrative"

13. Amend page 5, section 3, subsection (2), line 9.

Following: "(instruction)"

Strike: "executive"

Insert: "administrative"

14. Amend page 6, section 4, line 5.

Following: "(instruction)"

Strike: "executive"

Insert: "administrative"

15. Amend page 15, section 8, subsection (2), lines 1 and 2.

Following: "the"

Strike: "executive officer for vocational education"

Insert: "board of public education"

16. Amend page 15, section 8, subsection (2), line 9.

Following: "the"

Strike: "executive officer for vocational education"

Insert: "board of public education"

17. Amend page 15, section 8, subsection (2), line 11.

Following: "the"

Strike: "executive officer for vocational education"

Insert: "board of public education"

18. Amend page 15, section 8, subsection (2), lines 13 and 14.

Following: "made"

Strike: "under the supervision and in the discretion of the executive officer for vocational education"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

### MOTIONS

Meloy moved the rules be suspended and the following bills be placed on Second Reading today: HB 71, HB 82, HB 159, HB 163, HB 240, HB 308, HB 376, HB 452, and HJR 14. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again in Committee of the Whole this day, under the rules of the previous sitting.

Bertelsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 71 do pass. (91-1)

That HB 82 do pass. (87-0)

That HB 159 do pass. (88-3)

That HB 163 do pass. (90-0)

That HB 240 be passed for the day.

That HB 308 do pass. (83-12)

That HB 376 do pass. (91-0)

That HB 452 do pass. (92-0)

That HJR 14 do pass. (91-0)

That the committee rise and report. (Bertelsen, Chairman) Report adopted.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

- HB 620, introduced by Eudaily, Ellis, Keyser, Hansen, Courtney. Referred to Committee on State Administration.
- HB 621, introduced by Cox, Ellison, Dassinger, Stobie, Kenny, Moore, Kennerly, Barrett, Huennekens, Brand, Hurwitz, Kessler, Hand, Ageson, Ernst, Sivertsen, Wood, Johnston, Ramirez, Scully, Jensen, O'Connell, Underdal, W. Baeth, Feda, Vinger, Pistoria, Burnett, Ellerd, Nathe. Referred to Committee on Fish and Game.
- HB 622, introduced by Marks, Moore, Fagg, Fabrega, Kropp, Wyrick, Roth, Hurwitz, Meyer, Ellison, Ramirez, Porter, McLane, Feda, Burnett, Keyser, Nathe, Smith, O'Keefe, Turner, Underdal, Stobie, Curtiss, Lund, Ellis, Cox, Sivertsen, Severson, Ageson, Barrett, Hurwitz, Ellerd, Seifert, Eudaily, Gould, Wood, Vinger, Lory, Kvaalen, Ernst, Bertelsen, Jensen. Referred to Committee on Public Health, Welfare and Safety.
- HB 623, introduced by Lund, Gerke. Referred to Committee on State Administration.
- HB 624, introduced by Dussault. Referred to Committee on Education.
- HJR 46, introduced by Harper, Vincent, Uhde, Kimble, Palmer, W. Baeth, Fagg, Metcalf, Huennekens, Estenson, Waldron, Holmes, Dussault, Shelden, Kessler, Frates. Referred to Committee on Highways and Transportation.
- HJR 47, introduced by Kimble, Waldron, Mular, Eudaily. Referred to Committee on Labor and Employment Relations.

The following Senate bills were introduced, read first time and referred to committees:

- SB 38, introduced by Murphy, Hazelbaker. Referred to Committee on State Administration.
- SB 58, introduced by Rasmussen. Referred to Committee on Judiciary.
- SB 99, introduced by Jergeson, Kolstad, McOmber, (By Request of Department of State Lands). Referred to Committee on Agriculture, Livestock and Irrigation.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 67 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, South, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 71

Noes: Ageson, Cox, Ellison, Estenson, Fagg, Feda, Harper, Hirsch, Hurwitz, Kenny, Kropp, Kvaalen, Moore, Ramirez, Roth, Seifert, Smith, Staigmiller, Stobie, Teague, Turner, Underdal, Vinger, Wyrick.

Total 24



Paired: Burnett, Aye; Moore, No.

Excused: Colburn, Davis, Tower.

Total 3

Absent or not voting: Ellerd, Manuel.

Total 2

House Bill No. 205 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Dassinger, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 80

Noes: Curtiss, Day, Hand, Kropp, Pistoria, Ryan, Seifert, Smith, Stobie, Teague, Tropila, Turner, Vinger, Wood, Wyrick.

Total 15

Excused: Burnett, Colburn, Davis, Tower.

Total 4

Absent or not voting: Ellerd.

Total 1

House Bill No. 244 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 82

Noes: Aageson, Burnett, Curtiss, Ellison, McLane, Roth, Seifert, Severson, Smith, Stobie, Vinger, Wyrick.

Total 12

Paired: Moore, Aye; Burnett, No.

Excused: Colburn, Davis, Tower.

Total 3

Absent or not voting: Day, Ellerd, Kessler.

Total 3

House Bill No. 245 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Cooney, Courtney, Dassinger, Dussault, Estenson, Fabrega, Fagg,

Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Holmes, Huennekens, Jensen, Kennerly, Kessler, Keyser, Kimble, Lynch, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Ryan, Scully, Shelden, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 52

Noes: Aageson, Bengtson, Burnett, Conroy, Cox, Curtiss, Day, Ellis, Ellison, Ernst, Eudaily, Gould, Halvorson, Hansen, Hirsch, Hurwitz, Johnston, Kanduch, Kenny, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meyer, Moore, Nathe, Pistoria, Robbins, Roth, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Underdal, Vinger, Wyrick.

Total 44

Paired: Ramirez, Aye; Burnett, No.

Excused: Colburn, Davis, Tower.

Total 3

Absent or not voting: Ellerd.

Total 1

House Bill No. 256 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Estenson, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmilller, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 84

Noes: Ernst, Eudaily, Jensen, Lory, Moore, Roth, Sivertsen, Smith, Stobie, Underdal, Wyrick.

Total 11

Excused: Burnett, Colburn, Davis, Tower.

Total 4

Absent or not voting: Ellerd.

Total 1

House Bill No. 258 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Burnett, Colburn, Davis, Tower.

Total 4

Absent or not voting: Ellerd.

Total 1

House Bill No. 275 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Burnett, Colburn, Davis, Tower.

Total 4

Absent or not voting: Ellerd.

Total 1

Meloy moved that the House adjourn until 1:30 p.m., January 31, 1977.

Motion carried.

House adjourned at 11:20 a.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana  
January 31, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except R. Baeth, Ellis, Gerke, Hansen, Kvaalen, Lund, South, excused; Stobie, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Correctly printed - HB 168, HB 187. 1/31/77

Correctly printed - HJR 26, HB 117, HB 186, HB 239, HB 241,  
HB 290, HB 321, HB 328, HB 359, HB 415. 1/29/77

Considered correctly engrossed - HB 71, HB 82, HB 159, HB 163,  
HB 308, HB 376, HB 452, HJR 14. 1/31/77

BUSINESS AND INDUSTRY (Vincent, Chairman): 1/31/77

HB 220, do not pass.

SB 54, third reading, be amended as follows:

1. Amend title, line 6.

Following: "of"

Strike: "\$500"

Insert: "\$1,000"

2. Amend page 1, section 1, subsection (2), line 19.

Following: "exceed"

Strike: "\$500"

Insert: "\$1,000"

And as amended, be concurred in. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 1/29/77

House Bill No. 2, introduced by Conroy, et al

Resolution passed by the Senate and transmitted to the House  
for concurrence: 1/29/77

Senate Joint Resolution No. 8, introduced by Murray, Devine, et al

Bills passed by the Senate and transmitted to the House  
for concurrence: 1/29/77

Senate Bill No. 51, introduced by Story, Galt, Dover

Senate Bill No. 103, introduced by Lockrem, Hager, et al

Senate Bill No. 112, introduced by Mathers, Manning

Senate Bill No. 114, introduced by Dover, E. Smith, Kolstad

Senate Bill No. 128, introduced by Brown, Roberts

Senate Bill No. 133, introduced by Bergren

Senate Bill No. 134, introduced by R. Smith, Goodover, et al

Senate Bill No. 135, introduced by Roberts

### MOTIONS

Brand moved that HB 211 be rereferred from the Committee on State Administration to the Committee on Local Government. Motion carried.

Marks moved that the Journal reflect the following members are away on Legislative business today: R. Baeth, Ellis, Gerke, Hansen, Kvaalen, Lund and South. Motion carried.

Moore moved that HB 168 be rereferred from Printing to the Committee on Taxation. Motion carried.

Scully moved that HB 79 be placed below HB 261 on the Second Reading calendar today. Motion carried.

Scully moved that HB 570 be rereferred from the Committee on Business and Industry to the Committee on Judiciary. Motion carried.

Moore moved that HB 137 be passed to the 26th Legislative Day. Motion carried.

Scully moved that HB 574 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Judiciary. Motion carried.

Waldron moved that HB 569 be rereferred from the Committee on Labor and Employment Relations to the Subcommittee on Problems of the Elderly. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 625, introduced by Metcalf, Porter, Holmes, Fagg, (By Request of the Department of Community Affairs). Referred to Committee on State Administration.

HB 626, introduced by Sivertsen, Aageson, Conroy, Seifert, Moore, Kropp, Williams, Mular, Meyer, Roth, Fagg, Smith, Fabrega, Keyser, Ellerd, Robbins, Scully, Dassinger, Gerke, Harrington, Quilici, Wyrick, Uhde, Menahan, Lynch, Lien, Courtney, Manuel. Referred to Committee on Highways and Transportation.

HB 627, introduced by W. Baeth, Fabrega, Roth, Shelden, Mular, Williams, Gilligan, Palmer, Estenson, Ellis, Dussault, O'Connell, O'Keefe, Feda, Ernst, Halvorson, Day, Ryan, Scully, Cox, Waldron, Keyser, Huennekens, Frates, Harper, Pistoria, Bengtson, Wood, Lien, Robbins, South, Bradley, Jensen, Driscoll, Stobie, Ellison, Hand, Hansen, Quilici, Conroy, Brand, Kanduch, Bardanouve, Metcalf, Menahan, Underdal, E. Gunderson, Lund, Holmes, R. Baeth, Kropp, Staigmiller, Dassinger, Ellerd, Hirsch, Curtiss, McLane, Uhde, Fagg, Burnett, J. Gunderson, Meloy, Vincent, Ramirez, Courtney, Kessler, Kennerly, Gerke, Manuel. Referred to Committee on Highways and Transportation.

HB 628, introduced by Kennerly, Nathe. Referred to Committee on Appropriations.

HB 629, introduced by Kennerly, Mular, Holmes, Metcalf, Conroy, Nathe, Fagg, Menahan, (By Request of the Department of Community

Affairs). Referred to Committee on Public Health, Welfare and Safety.

HB 630, introduced by Fagg, Vincent, Sivertsen, Waldron, Moore, Mular, Palmer, Cooney, Fedá, Menahan, Kanduch, Frates, Shelden, Brand, Lory, Lynch, Courtney, Kennerly, Robbins, Pistoria, Fabrega, Uhde, Harrington, Huennekens, Gilligan, O'Keefe, Hirsch, Metcalf, Holmes, Kessler, Teague, J. Gunderson, Lund, Estenson, E. Gunderson, Johnston, R. Baeth, Harper, W. Baeth, Ellis, Porter, Marks, Kimble, Quilici, Dussault, Hansen, Bradley, Scully, Lien, Nathe. Referred to Committee on Taxation.

HB 631, introduced by Driscoll, Meloy. Referred to Committee on Natural Resources.

HB 632, introduced by W. Baeth, Shelden. Referred to Committee on Highways and Transportation.

HJR 48, introduced by Nathe, Lund, Fedá, Vinger, Fabrega, Underdal, Halvorson, Kimble, Kennerly, Hirsch, Johnston, Fagg, O'Keefe. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 51, introduced by Story, Galt, Dover. Referred to Committee on State Administration.

SB 103, introduced by Lockrem, Hager, Dunkle, Manning, Graham, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

SB 112, introduced by Mathers, Manning, (By Request of the Department of Highways). Referred to Committee on Taxation.

SB 114, introduced by Dover, E. Smith, Kolstad. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 128, introduced by Brown, Roberts, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

SB 133, introduced by Bergren, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

SB 134, introduced by R. Smith, Goodover, Bergren, Murphy, Healy, Peterson, Flynn, Mehrens, Aber, Graham. Referred to Committee on Highways and Transportation.

SB 135, introduced by Roberts, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Agriculture, Livestock and Irrigation.

SJR 8, introduced by Murray, Devine, Goodover, Galt, Hager, Dunkle, Turnage, Roskie, Flynn, Watt, Boylan. Referred to Committee on Public Health, Welfare and Safety.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 66 be amended as follows:

1. Amend page 1, section 1, line 14.

Following: "school"  
Insert: "shall be" (87-0)

Stobie present at this time.

And as amended, do pass. (69-25)

That HB 89 do pass. (89-1)

That HB 117 do pass. (52-38)

That HB 186 do pass. (92-0)

That HB 194 do not pass. (53-42)

That HB 239 do pass. (87-2)

That HB 240 do pass. (85-1)

That HB 241 do pass. (87-0)

That the committee rise and report. (Lynch, Chairman)

Moore moved that HB 117 be segregated from the Committee of the Whole report. Motion carried.

Teague moved that HB 194 be segregated from the Committee of the Whole report and as amended be adopted. Motion failed. Thereupon report adopted as amended.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Shelden, Chairman): 1/31/77  
HB 204, do pass. Report adopted.  
HB 329, do not pass.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Quilici, Chairman): 1/31/77

Recommend that the following employees be reclassified retroactive to:  
January 3, 1977 — Diane Burgess — from Typist to Stenographer  
January 15, 1977 — Wallace Orton — from Grade 5, Step 1 to Grade 5, Step 3  
January 17, 1977 — Nina Kosmas — from Stenographer to Committee Secretary  
January 18, 1977 — Mary Conway — from Clerk-Typist to Steno/Status Clerk  
January 24, 1977 — Jane Shoquist — from Grade 6, Step 1 to Grade 6, Step 5

At the beginning of business January 7, 1977 the following be terminated:

Tolly Bishop .....House Press Aide

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business January 31, 1977:

Janet Simmins .....Page  
Julie Carter .....Page  
Lori Strange .....Page  
Cynthia Chase .....Page  
Helen Engebretsen .....Page



Jamie Murphy.....	Page
Jane LaMoure.....	Page

At the beginning of business February 2, 1977, the following also be employed:

Monty Saxby .....	Page
Christi Fendersen .....	Page

At the close of business, January 29, 1977, the following also be terminated:

Rene Sirucek.....	Page
Hitomi Okamura .....	Page
Jennifer Lohmann.....	Page
Frank Armstrong.....	Page
Jeri Lee Gerke .....	Page
Kathy Webster.....	Page
Ellen Nash .....	Page

At the close of business, February 2, 1977, the following also be terminated:

Leigh Ann Jackson .....	Page
Shelly Sanders .....	Page

Report adopted.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 102 was adopted by the following roll call vote:

Ayes: Ageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 88

Noes: None.  
Total 0

Excused: R. Baeth, Ellis, Gerke, Hansen, Kvaalen, Lund, South.  
Total 7

Absent or not voting: Bardanouve, Davis, Kennerly, Shelden, Sivertsen.  
Total 5

## MOTIONS

Moore moved that HB 117 be rereferred from Second Reading to the Committee on Judiciary. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., February 1, 1977.

Motion carried.

House adjourned at 3:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana  
February 1, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Kvaalen, Moore, South, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

January 26, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Driscoll:

The following is a list of pages who are hired for the week of January 30th through February 5th, 1977:

Janet Simmons	Missoula
Julie Carter	Laurel
Lori Strange	Stevensville
Cynthia Chase	Billings
Helen Engebretson	Gildford
Jamie Murphy	Helena
Jane LaMoure	Helena

The following pages will be working from February 2nd through February 8th:

Monte Saxby	Helena
Christi Fenderson	Helena

Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

On motion by Kimble, and in accordance with the 24-hour rule, the adverse committee report on HB 75 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellison, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Severson,

Shelden, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.  
Total 77

Noes: Aageson, Bertelsen, Ellerd, Ernst, Feda, Gould, Kropp, Lund, Marks, Nathe, Ramirez, Sivertsen, Vinger, Wood, Wyrick.  
Total 15

Excused: Kvaalen, Moore, South.  
Total 3

Absent or not voting: Cox, Ellis, Estenson, McLane, Seifert.  
Total 5

**BILLS (Quilici, Chairman):**

Correctly printed - HB 19, HB 280, HB 310.	1/31/77
Considered correctly engrossed - HB 89, HB 186, HB 239, HB 240, HB 241.	2/1/77
Correctly enrolled - HB 16.	2/1/77
Correctly printed - HB 25.	2/1/77

Examined by Sponsor and found to be correct - HB 16.	2/1/77
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**STATE ADMINISTRATION (Brand, Chairman):**

1/31/77

HJR 27, do pass. Report adopted.  
HB 414, do pass. Report adopted.  
SB 63, be concurred in. Report adopted.

**BUSINESS AND INDUSTRY (Vincent, Chairman):**

2/1/77

HB 58, do not pass.  
HB 171, introduced bill, be amended as follows:

1. Amend page 2, section 2.

Following: line 21

Insert: "(2) A person licensed as both an insurance consultant and an insurance agent may receive compensation for his consulting services only under the conditions set forth in 40-3345."

And as amended, do pass. Report adopted.

HB 225, do not pass.

HB 238, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (2), line 21.

Following: "rates,"

Strike: "15%"

Insert: "5%"

2. Amend page 1, section 1, subsection (2), lines 22 and 23.

Following: "with the"

Strike: "district court of the county where the municipality is located"

Insert: "public service commission"

3. Amend page 2, section 1, subsection (2), line 1.

Following: "The"

Strike: "district court"

Insert: "public service commission"

Following: "hearing"

Insert: "held in the municipality affected"

4. Amend page 2, section 1, subsection (2), line 6.

Following: "the"

Strike: "court"



Insert: "public service commission"

And as amended, do pass. Report adopted.

HB 304, introduced bill, be amended as follows:

1. Amend title, line 8.

Following: "8-103.4,"

Insert: "51-109,"

2. Amend title, line 11.

Following: "51-107,"

Strike: "51-109,"

3. Amend page 2, section 2, subsection (1), line 7.

Following: "trade"

Insert: ", except that any product or service of a public utility shall not be included within the term 'article of commerce'"

4. Amend page 23.

Following: line 22

Insert: "Section 18. Section 51-109, R.C.M. 1947, is renumbered 51-520 and is amended to read as follows:

'(51-109) 51-520. (Attorney general) Department to institute suit(, when). Upon the third violation of any of the provisions of (sections 51-101 to 51-108, inclusive,) 51-505 through 51-514 by any corporation, (it shall be the duty of) the (attorney general) department (to) shall institute proper suits or quo warranto proceedings in (any) a court of competent jurisdiction for the forfeiture of its charter, rights, franchises or privileges, and powers exercised by such corporation(,) and to permanently enjoin it from transacting business in this state. If in such action the court (shall find) finds that (such) the corporation is violating or has violated any of the provisions of (sections 51-101 to 51-108, inclusive,) 51-505 through 51-514, it (must) shall enjoin (said) the corporation from doing business in this state permanently or for such time as the court (shall order) orders, or (must) shall annul the charter(,) or revoke the franchise of such corporation.'"

Renumber: all subsequent sections

5. Amend page 29, section 21, subsection (12), line 12.

Following: "(secondary)"

Strike: "Proprietary"

Insert: "proprietary"

6. Amend page 30, section 24, line 15.

Following: "51-107,"

Strike: "51-109,"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HJR 12, do pass. Report adopted.

FISH AND GAME (Staigmilller, Chairman):

2/1/77

HB 126, do pass. Report adopted.

HB 268, do not pass.

LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman): 1/31/77

HB 444, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

1/31/77

HB 166, do not pass.  
HB 218, do not pass.  
HB 237, do pass. Report adopted.  
HB 288, do pass. Report adopted.  
HB 306, do not pass.  
HB 383, do not pass.  
HB 401, do not pass.  
HB 402, do pass. Report adopted.

Objection raised by Marks on 1/31/77 on adverse committee report on HB 218. Referred to Second Reading.

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 220 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Gerke, Teague.

Total 2

Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: R. Baeth, Bertelsen, Dassinger, Ellerd.

Total 4

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 329 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Tower, Turner, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 77

Noes: Barrett, Bradley, Brand, Cooney, Estenson, Fagg, Hand, Hansen, Holmes, Huennekens, Kanduch, Kessler, Meloy, Menahan, Mular, Scully, Teague, Tropila, Uhde, Vincent.

Total 20

Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: None.

Total 0

## MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

1/31/77

Senate Bill No. 100, introduced by Turnage, Lockrem, Himsl

Senate Bill No. 118, introduced by McOmber, Watt, Mathers

## MOTIONS

Burnett moved that HB 496 be rereferred from the Committee on Appropriations to the Judiciary Subcommittee on Montana Water. Motion carried.

Brand moved that the following bills be rereferred from the Committee on Highways and Transportation to the Committee on Labor and Employment Relations: HB 579, HB 580, HB 581 and HB 582. Motion carried.

Keyser moved that HB 129 be placed at the bottom of the Second Reading board today. Motion carried.

Marks moved that HB 137 be passed for consideration today. Motion carried.

Huennekens moved that HB 610 be rereferred from the Committee on Taxation to the Committee on Business and Industry. Motion carried.

Vincent moved that HB 196 be rereferred from the Committee on Business and Industry to the Committee on Rules. Motion carried.

## FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 633, introduced by Vincent. Referred to Committee on Judiciary.

HB 634, introduced by Scully. Referred to Committee on Judiciary.

HB 635, introduced by Fagg, Manuel, Estenson, (By Request of the Department of Fish and Game). Referred to Committee on Taxation.

HB 636, introduced by Day, Dassinger, Bengtson, Wood, Robbins, Williams, Kropp, Ellerd, Sivertsen, McLane, J. Gunderson, Manuel. Referred to Judiciary Subcommittee on Water.

HB 637, introduced by Seifert, Tower, Lien, Johnston. Referred to Committee on Taxation.

HB 638, introduced by Kimble, Lynch, Brand. Referred to Committee on Local Government.

HB 639, introduced by Bradley, Scully. Referred to Committee on Judiciary.

HB 640, introduced by Day, Fagg, Wood, McLane, Menahan, Keyser, Holmes. Referred to Committee on Taxation.

HB 641, introduced by Courtney, (By Request of the Department of Institutions). Referred to Committee on Public Health, Welfare and Safety.

The following Senate bills were introduced, read first time and referred to committees:

SB 100, introduced by Turnage, Lockrem, Himsl. Referred to Committee on Taxation.

SB 118, introduced by McOmber, Watt, Mathers. Referred to Committee on Taxation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Gerke in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 261 do pass. (86-12)

That HB 79 do pass. (79-20)

That HB 290 do pass. (91-0)

That HB 321 do pass. (89-2)

That HB 328 do pass. (88-2)

That HB 359 do pass. (95-0)

That HB 375 do pass. (48-45)

That HB 415 do pass. (80-7)

That HJR 26 do pass. (96-0)

That HB 19 be amended as follows:

1. Amend page 8, section 5, lines 11 and 12.

Following: "Director"

Insert: "of the department" (87-1)

And as amended, do pass. (90-1)

That the committee rise and report. (Gerke, Chairman)

Metcalf moved that HB 375 be segregated from the Committee of the Whole report. Motion failed. Thereupon, the report was adopted.

## THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 71 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 93

Noes: Uhde, Mr. Speaker.

Total 2



Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: Frates, Tower.

Total 2

House Bill No. 82 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: Hand, Tower.

Total 2

House Bill No. 159 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Cox, Smith, Stobie.

Total 3

Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: Tower.

Total 1

House Bill No. 163 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan,

Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: Tower.

Total 1

House Bill No. 176 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Smith, Underdal.

Total 2

Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: Bertelsen, Ellison, Tower.

Total 3

House Bill No. 214 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: Stobie, Tower.

Total 2

House Bill No. 226 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: Tower.

Total 1

House Bill No. 308 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 79

Noes: Burnett, Cox, Curtiss, Ellison, Fabrega, Hirsch, Lund, Nathe, Ramirez, Roth, Severson, Stobie, Turner, Vinger, Wyrick.

Total 15

Excused: Kvaalen, Moore, South.

Total 3

Absent or not voting: Ellerd, Kropp, Tower.

Total 3

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

2/1/77

Correctly printed - HB 204, HB 289.

Correctly engrossed - HB 66.

Will be signed on adjournment, 2/1/77 - HB 16.

## TAXATION (Huennekens, Chairman):

2/1/77

HB 379, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "camper"

Insert: ", truck canopy cover, or topper"

2. Amend title, line 6.

Following: "camper"

Insert: ", truck canopy cover, or topper"

Following: "attached is"

Strike: "assessed"

Insert: "taxed"

3. Amend page 1, section 1, line 17.

Following: "camper"

Insert: ", truck canopy cover, or topper"

4. Amend page 2, section 2, line 25, and page 3, section 2, line 1.

Following: line 24.

Insert: "(e) Campers, truck canopy covers, or toppers which are required by subdivision 4 hereof to be assessed as of the first day of January."

5. Amend page 3, section 2, line 2.

Following: line 1

Strike: "~~(f)~~(e)"

Insert: "(f)"

6. Amend page 3, section 2, subsection (2), line 13.

Following: "camper"

Insert: ", truck canopy cover, or topper"

7. Amend page 3, section 2, subsection (2), line 14.

Following: "be"

Strike: "assessed"

Insert: "taxed"

8. Amend page 4, section 2, lines 19 through 25.

Following: line 18

Insert: "(4) The department of revenue or its agent must ascertain and assess all campers, truck canopy covers, or toppers in each county subject to taxation as of January 1 in each year, and the same shall be assessed to the persons by whom owned or claimed, or in whose possession or control such camper, truck canopy cover, or topper was, including dealers, at 12 midnight of the first day of January in each year."

9. Amend page 5, section 2, subsection ((5)) (4), line 1.

Strike: "~~(5)~~(4)"

Insert: "(5)"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HJR 4, introduced bill, be amended as follows:

1. Amend page 2, line 5.

Following: line 4

Strike: "(1)"

2. Amend page 2, line 11.



Following: line 10

Strike: lines 11 through 17 in their entirety

And as amended, do pass. Report adopted.

### MOTIONS

Bradley moved that HB 261 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., February 2, 1977.

Motion carried.

House adjourned at 3:55 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## TWENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana  
February 2, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Tower, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

January 31, 1977

Hon. John B. Driscoll  
Speaker of the House of  
Representatives  
45th Montana Legislature  
State Capitol  
Helena, Montana 59601

Dear Speaker Driscoll:

We are pleased and honored to accept Tuesday, February 15, 1977, at 1:30 p.m. as the time for Montana's second State of the Judiciary message.

I understand it will be in the chambers of the House of Representatives, before a combined session of the House and Senate.

Thank you and President W. Gordon McOmber for the courtesy extended the Montana judicial branch.

Sincerely,

Paul G. Hatfield  
Chief Justice

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Correctly printed - HB 69. 2/1/77

Correctly printed - HB 126, HB 171, HB 218, HB 237, HB 288,  
HB 402, HB 414, HB 444, HJR 12, HJR 27. 2/2/77

Considered correctly engrossed - HB 79, HB 290, HB 321, HB 328,  
HB 359, HB 375, HB 415, HJR 26. 2/2/77

Was signed by the Speaker at 3:50 p.m., 2/1/77 - HB 16.

PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman): 2/1/77

HB 174, do not pass.

HB 219, do not pass.

HB 221, do pass. Report adopted.

HB 227, do pass. Report adopted.

HB 236, do pass. Report adopted.

HB 330, do pass. Report adopted.

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 58 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 92

Noes: Kenny, Mular, Teague.

Total 3

Excused: Tower.

Total 1

Absent or not voting: J. Gunderson, Halvorson, Palmer, Wood.

Total 4

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 166 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: R. Baeth, Barrett, Colburn, Courtney, Mular, Quilici, Scully, Stobie, Teague, Turner, Uhde, Waldron.

Total 12

Excused: Tower.

Total 1

Absent or not voting: J. Gunderson, Halvorson, Lien, Palmer.

Total 4

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 225 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith,



Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Brand, Colburn, Dussault, Estenson, Kanduch, Menahan, Mular, South, Teague.

Total 9

Excused: Tower.

Total 1

Absent or not voting: Ellis, J. Gunderson, Halvorson, Palmer.

Total 4

On motion by Staigmilller, and in accordance with the 24-hour rule, the adverse committee report on HB 268 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Brand, Curtiss, Hansen, Kropp, Nathe, Stobie, Waldron.

Total 7

Excused: Tower.

Total 1

Absent or not voting: Eudaily, J. Gunderson, Halvorson, Palmer.

Total 4

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 306 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.

Total 84

Noes: Brand, Cooney, Courtney, Dussault, Estenson, Holmes, Kessler, Meloy, Scully, Shelden, Waldron, Wood.

Total 12

Excused: Tower.

Total 1

Absent or not voting: J. Gunderson, Halvorson, Palmer.

Total 3

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 383 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Barrett, Brand, Cooney, Courtney, Cox, Mular, Teague, Uhde, Waldron.

Total 9

Excused: Tower.

Total 1

Absent or not voting: Conroy, Kessler, Manuel, Severson.

Total 4

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 401 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Teague, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Brand, Day, McLane, Marks, Mular, Stobie, Tropila.

Total 7

Excused: Tower.

Total 1

Absent or not voting: Fagg, Hand, Seifert.

Total 3

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

Senate Bill No. 49, introduced by Jergeson

2/1/77

Senate Bill No. 110, introduced by Dover, et al

Senate Bill No. 141, introduced by Lee (by request)

Senate Bill No. 189, introduced by Jergeson, et al

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/2/77

Senate Bill No. 4, introduced by Hazelbaker

Senate Bill No. 91, introduced by Lockrem, et al

Senate Bill No. 107, introduced by Regan, Turnage

Senate Bill No. 111, introduced by Mathers, Turnage

Senate Bill No. 132, introduced by McOmber, et al

Senate Bill No. 140, introduced by Lee (by request)

Senate Bill No. 148, introduced by Warden, Roberts, et al

Senate Bill No. 165, introduced by Galt, Dover

Senate Bill No. 194, introduced by Jergeson, Galt

### MOTIONS

Moore moved that the House reconsider its action taken in adopting the adverse committee report on HB 268 and that it be placed on Second Reading. Motion carried.

Marks moved that HB 375 be rereferred from Engrossing to the Committee on State Administration. Motion carried.

Holmes moved that the House reconsider its action taken in adopting the adverse committee report on HB 306 and that it be placed on Second Reading. Motion failed.

### REPORTS OF STANDING COMMITTEES

EDUCATION (Dussault, Chairman):

2/2/77

HB 119, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (2), line 22.

Following: "(mill)"

Strike: "2 mills"

Insert: "1 mill"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 404, do pass. Report adopted.

HB 409, introduced bill, be amended as follows:

1. Amend title, page 1, line 10.

Following: "1947"

Insert: "; and providing an immediate effective date"

2. Amend page 2.

Following: line 15.

Insert: "Section 2. Effective date. This act is effective on its passage and approval."

And as amended, do pass. Report adopted.

HB 416, do not pass.

HB 448, do pass. Report adopted.

# AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman):

2/1/77

SB 35, Third Reading bill, be amended as follows:

1. Amend page 11, section 1.

Following: line 16.

Insert: "(12) The conservation district is authorized to divide the unincorporated area of the district into five supervisor areas."

2. Amend page 12, section 2, line 4.

Following: "district"

Insert: ", or supervisor areas thereof, wherein the nominee resides"

3. Amend page 13, section 2, line 6.

Following: "suitable"

Insert: "nonpartisan"

Following: "ballots"

Insert: "and polling lists"

4. Amend page 13, section 2, line 7.

Following: "ballots"

Insert: "and polling lists"

5. Amend page 17, section 4, line 5.

Following: "act"

Strike: "; provided,"

Insert: "."

6. Amend page 17, section 4, line 6.

Following: "however,"

Strike: "that"

7. Amend page 17, section 4, line 8.

Following: "act"

Strike: "; provided, further that"

Insert: "."

And as amended, be concurred in. Report adopted.

## MOTIONS

Brand moved that HB 247 be rereferred from the Committee on State Administration to the Committee on Local Government. Motion carried.

Meloy moved that HB 641 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Judiciary. Motion carried.

## FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 642, introduced by Barrett, Staigmilller, Hurwitz, Metcalf. Referred to Committee on Judiciary.

HB 643, introduced by O'Keefe. Referred to Committee on State Administration.

HB 644, introduced by W. Baeth, Johnston. Referred to Public Health Subcommittee on Problems of the Elderly.



- HB 645, introduced by Brand, Menahan. Referred to Committee on State Administration.
- HB 646, introduced by Fagg, Palmer, Harper, Dussault, Holmes, Cooney, Gerke, Ramirez, Porter, Ellis, Gould. Referred to Committee on Local Government.
- HB 647, introduced by Scully. Referred to Committee on Judiciary.
- HB 648, introduced by Gould, Halvorson. Referred to Committee on Appropriations.
- HB 649, introduced by Bertelsen. Referred to Committee on Education.
- HB 650, introduced by Scully, Tropila. Referred to Committee on Highways and Transportation.
- HB 651, introduced by Metcalf, Estenson, Harper, Meloy, (By Request). Referred to Committee on Appropriations.
- HB 652, introduced by Kennerly. Referred to Committee on Education.
- HB 653, introduced by Estenson, Barrett, Kessler. Referred to Committee on Education.
- HB 654, introduced by Meloy, Dussault. Referred to Committee on Judiciary.
- HB 655, introduced by Seifert, (By Request). Referred to Committee on Taxation.
- HB 656, introduced by Wood, Day, Bengtson, Davis, Turner, Wyrick, Kropp, Ellerd, Mular, Halvorson, Lien, Bertelsen, Eudaily, Tower, South, Seifert, Dassinger. Referred to Committee on Highways and Transportation.
- HB 657, introduced by Curtiss, Tower, Turner. Referred to Committee on Appropriations.
- HJR 49, introduced by Aageson, Roth, Sivertsen, Nathe, Manuel, Lund, Ernst, J. Gunderson, Hirsch. Referred to Committee on Agriculture, Livestock and Irrigation.

The following Senate bills were introduced, read first time and referred to committees:

- SB 49, introduced by Jergeson, (By Request of the Department of Livestock). Referred to Committee on Agriculture, Livestock and Irrigation.
- SB 110, introduced by Dover, Galt, Manley, E. Smith, Roskie, Devine, Flynn. Referred to Committee on Natural Resources.
- SB 141, introduced by the Committee on Labor and Employment Relations; Lee, Chairman, (By Request of the Division of Workers' Compensation). Referred to Committee on Labor and Employment Relations.
- SB 189, introduced by Jergeson, Kolstad, Bergren, Hager. Referred to Committee on Agriculture, Livestock and Irrigation.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 137 be amended as follows:

1. Amend page 10, section 3, lines 1 through 4.

Strike: lines 1 through 4 in their entirety

Insert: "to enable a candidate or political committee to comply with the requirements of this section whenever the candidate or committee believed in good faith that compliance with subsection (9)(C) or (9)(D) would be possible, but" (75-15)

2. Amend page 10, section 3, line 7.

Following: "candidate"

Strike: "or committee"

Insert: "for state or state district office or a committee which has been formed to support such candidates which is" (69-21)

And as amended, do not pass. (80-16)

That HB 185 be amended as follows:

1. Amend title, page 1, line 9.

Following: "1947"

Insert: "; and providing an immediate effective date" (87-6)

2. Amend page 8.

Following: line 12.

Insert: "Section 3. Effective date. This act is effective upon passage and approval." (85-5)

And as amended, do pass. (62-34)

That HB 129 be amended as follows:

1. Amend title, page 1, line 11.

Following: "1947"

Insert: "; and providing an immediate effective date" (85-9)

2. Amend page 5, section 1, line 2.

Following: "(9)"

Strike: "(a)"

Following: "for"

Strike: lines 2 through 11 in their entirety

Insert: "local government offices need not comply with the filing provisions of subsections (1) through (8)."

3. Amend page 8, section 2, line 12.

Following: "for"

Strike: "those offices declared filled by the city clerk or the county clerk and recorder"

Insert: "local government offices"

4. Amend page 10, section 5, lines 11 through line 11 on page 15.

Following: line 10

Strike: section 5 in its entirety

Insert: "Section 5. Effective date. This act is effective upon passage and approval."

5. Amend page 15, section 6, lines 12 through line 1 on page 16.

Following: line 11

Strike: section 6 in its entirety (78-14)

And as amended, do not pass. (77-22)

That HB 280 do pass. (90-1)

That HB 310 do pass. (93-4)

That the committee rise and report. (Moore, Chairman) Report adopted.

**REPORTS OF STANDING COMMITTEES**

Objection raised by Holmes on 2/2/77 on adverse committee report on HB 174. Referred to Second Reading.

**LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL**

(Quilici, Chairman):

2/2/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business January 28, 1977:

John Hemstad .....Permanent Page, Minority Leader's Office

At the close of business, January 28, 1977, the following also be terminated:

Beverley (Lee) Soules.....Permanent Page,  
Minority Leader's Office

Report adopted.

**NATURAL RESOURCES (Shelden, Chairman):**

2/2/77

HJR 24, do pass. Report adopted.

**MOTIONS**

Shelden moved that HJR 24 be rereferred from Printing to the Committee on Natural Resources. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., February 3, 1977.

Motion carried.

House adjourned at 3:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## TWENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana  
February 3, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellis, Gerke, Hansen, Lund, Shelden, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

**BILLS (E. Gunderson, Vice-Chairman):** 2/3/77  
Correctly engrossed - HB 19.  
Considered correctly engrossed - HB 280, HB 310.  
Correctly printed - HB 174, HB 221, HB 227, HB 236, HB 238,  
HB 268, HB 330, HB 379, HB 404, HB 448, HJR 4.

Objection raised by Moore on 2/2/77 on adverse committee report on HB 268. Referred to Second Reading.

Objection raised by Conroy on 2/2/77 on adverse committee report on HB 219. Referred to Second Reading.

**BUSINESS AND INDUSTRY (Vincent, Chairman):** 2/3/77  
HB 347, do pass. Report adopted.  
HB 413, do not pass.

**FISH AND GAME (Staigmilller, Chairman):** 2/3/77  
HB 299, introduced bill, be amended as follows:  
1. Amend title, page 1, line 6.  
Following: "prohibit"  
Insert: "the use of citizen band radios for hunting and"  
2. Amend page 3, section 1, subsection (2)(b), line 2.  
Following: "birds"  
Strike: ","  
Insert: "or"  
3. Amend page 3, section 1, subsection (2)(b), line 3.  
Following: "game"  
Strike: ","  
4. Amend page 3, section 1, subsection (2)(b), line 8.  
Following: "game"  
Insert: "or fur-bearing animals"

And as amended, do pass. Report adopted.

**HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman):** 2/2/77  
HB 125, introduced copy, be amended as follows:  
1. Amend title, line 6.  
Following: "days"  
Insert: "; to extend the time allowed for a dealer to forward registration papers;"

2. Amend page 6, section 2, line 23.

Following: "Within"

Strike: "3"

Following: "((3))"

Insert: "4 working"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 131, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 12.

Strike: "the front of"

2. Amend page 1, section 2, line 19.

Following: "1978"

Insert: "for licenses renewed after that date"

And as amended, do pass. Report adopted.

HB 206, do pass. Report adopted.

HB 364, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman): 2/2/77

HB 370, do not pass.

HB 406, do pass. Report adopted.

HB 429, do not pass.

HB 468, do pass. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman):

2/3/77

HB 123, do pass. Report adopted.

HB 124, introduced bill, be amended as follows:

1. Amend page 2, section 4, lines 3 and 4.

Following: "directly"

Strike: "or by contract"

Insert: "A local government may not reduce the authorized number of regular paid professional firefighters through the appointment or utilization of volunteer firefighters."

2. Amend page 7, section 13, line 14.

Following: "the"

Strike: "firefighter"

Insert: "firefighters"

And as amended, do pass. Report adopted.

HB 314, introduced bill, be amended as follows:

1. Amend page 4, section 1, lines 5 through 7.

Following: "exhausted"

Strike: ", including but not limited to the maximum emergency appropriation provided for in 16-1907"

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

2/2/77

HB 60, do not pass.

HB 309, do pass. Report adopted.

HB 340, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (1), line 24.

Following: "(cent (.6%))"

Strike: "6/10"

Insert: "3/10"

2. Amend page 3, section 1, subsection (3), line 10.

Following: "cost"

Insert: ", and to promote snowmobile safety 15% of the amount deposited in the fund each year is to be devoted to the snowmobile safety project the first 2 years and 10% thereafter"

3. Amend page 3, section 1, subsection (3), line 12.

Following: "than"

Strike: "6/10"

Insert: "3/10"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 422, introduced bill, be amended as follows:

1. Amend page 2, section 1, subsection (c), line 3.

Following: "stock"

Strike: "which"

Insert: "shall be treated as owned by one shareholder when it"

2. Amend page 2, section 1, subsection (c)(4), line 19.

Following: "deaths"

Strike: "shall be treated as owned by one shareholder"

And as amended, do pass. Report adopted.

HB 469, do not pass.

HB 474, do not pass.

HB 507, do not pass.

HB 551, do pass. Report adopted.

2/3/77

HB 586, do pass. Report adopted.

2/3/77

SB 9, be concurred in. Report adopted.

2/2/77

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HB 416 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lory, McLane, Marks, Meloy, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Tower, Tropila, Turner, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: Courtney, Curtiss, Holmes, Kessler, Lien, Lynch, Menahan, Moore, Ryan, Scully, Uhde, Underdal.

Total 12

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: Bardanouve, Brand, Cox, Hirsch, Kimble, Manuel, Mular, Stobie, Teague.

Total 9

## MOTIONS

Meloy moved that the Journal reflect that the Appropriations

Subcommittee on Institutions are away on official business today. Motion carried.

Meloy moved that HJR 39 be rereferred from the Committee on Education to the Committee on Natural Resources. Motion carried.

Moore moved that HB 268 be passed for consideration until the 30th Legislative Day. Motion failed.

Meloy moved that HB 204 be placed at the bottom of the Second Reading calendar today. Motion carried.

Gould moved that HB 69 be passed for consideration until the 29th Legislative Day. Motion failed.

Kimble moved that HB 370 be rereferred to the Committee on Labor and Employment Relations. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 658, introduced by Lynch, (By Request of the Department of Institutions). Referred to Committee on Public Health, Welfare and Safety.

HB 659, introduced by Lynch, Harrington. Referred to Committee on Labor and Employment Relations.

HB 660, introduced by Courtney, Uhde, Harrington, Shelden, O'Connell, Kessler, W. Baeth, Cooney. Referred to Committee on Business and Industry.

HB 661, introduced by Bardanouve, Huennekens, Meloy, (By Request of the Governor's Office). Referred to Committee on Natural Resources.

HB 662, introduced by Nathe, Fagg, Metcalf, Day, Harper, Shelden, Dussault. Referred to Committee on Natural Resources.

HB 663, introduced by Harper, Cooney, Palmer. Referred to Committee on Public Health, Welfare and Safety.

HB 664, introduced by Day, (By Request of the Subcommittee on Montana Water and the Department of Natural Resources and Conservation). Referred to Judiciary Subcommittee on Montana Water.

HB 665, introduced by Holmes, Lynch, Waldron, Kimble, Harper, Palmer. Referred to Committee on Natural Resources.

HB 666, introduced by Vincent, Dussault. Referred to Committee on Education.

HB 667, introduced by Fagg, Robbins, Ryan, Gilligan. Referred to Committee on Business and Industry.

HB 668, introduced by Waldron, Ramirez, Fabrega, Uhde, Fagg, Palmer, Ellis, Kennerly, Meloy, Huennekens, Eudaily, Dussault, Kimble, Holmes, Harper. Referred to Committee on Labor and Employment Relations.

HB 669, introduced by Day, Bengtson, Conroy, Marks, Davis, Ellerd. Referred to Committee on Agriculture, Livestock and Irrigation.

HB 670, introduced by Kimble, Waldron, Mular. Referred to Committee on Labor and Employment Relations.

HB 671, introduced by South. Referred to Committee on Local Government.

HB 672, introduced by Colburn, Teague, Manuel, Gould, Conroy, Roth,



Kenny, Johnston, Jensen, McLane, Eudaily, Ellis, Hurwitz, Lien, Lynch, Barrett, Hansen, Menahan, Porter, Moore, Underdal, Kropp, Pistoria, Vinger, Cox, Aageson, Smith, Fedra, Quilici, Fabrega, Sivertsen, Severson, Ernst, Wyrick, Williams, R. Baeth, Stobie, Mular, Ryan, Roth, Keyser, Seifert. Referred to Committee on Judiciary.

HB 673, introduced by Colburn, (By Request). Referred to Committee on Judiciary.

HB 674, introduced by Frates, Palmer, E. Gunderson, Vincent, Huennekens, Kessler. Referred to Public Health Subcommittee on Problems of the Elderly.

HB 675, introduced by Ellison, Burnett, Wyrick, Cox. Referred to Committee on Local Government.

HB 676, introduced by Palmer, Brand, Hansen, Quilici, Cooney, Metcalf, Kimble, Ellis, Harrington, Waldron, Courtney. Referred to Committee on Public Health, Welfare and Safety.

HJR 50, introduced by Bengtson. Referred to Committee on Business and Industry.

HJR 51, introduced by Frates, Huennekens, O'Connell, Kessler. Referred to Committee on Labor and Employment Relations.

HJR 52, introduced by Frates, Huennekens, O'Connell, Kessler. Referred to Committee on Labor and Employment Relations.

The following Senate bills were introduced, read first time and referred to committees:

SB 4, introduced by Hazelbaker. Referred to Committee on Business and Industry.

SB 91, introduced by Lockrem, Lowe, Turnage, Thiessen, Himsl. Referred to Committee on Local Government.

SB 107, introduced by Regan, Turnage. Referred to Committee on Business and Industry.

SB 111, introduced by Mathers, Turnage. Referred to Committee on Natural Resources.

SB 132, introduced by McOmber, Hazelbaker, Etchart. Referred to Judiciary Subcommittee on Montana Water.

SB 140, introduced by Committee on Labor and Employment Relations; Lee, Chairman, (By Request of the Division of Workers' Compensation). Referred to Committee on Labor and Employment Relations.

SB 148, introduced by Warden, Roberts, Dunkle, Boylan, Galt, Dover, Brown, Rasmussen, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

SB 165, introduced by Galt, Dover, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

SB 194, introduced by Jergeson, Galt, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 66 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ernst, Estenson, Eudaily, Fabrega, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen,

Kanduch, Kennerly, Kenny, Kessler, Keyser, Lien, Lory, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 72

Noes: Burnett, Curtiss, Ellison, Fagg, Feda, Hurwitz, Johnston, Kropp, Kvaalen, McLane, Moore, Porter, Ramirez, Roth, Seifert, Severson, Smith, Vinger, Wyrick.

Total 19

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: Kimble, Manuel, Mular, Stobie.

Total 4

House Bill No. 79 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Halvorson, Hand, Harrington, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 73

Noes: Bradley, Cooney, Courtney, Dussault, Estenson, Frates, E. Gunderson, J. Gunderson, Harper, Hirsch, Holmes, Huennekens, Kennerly, Kessler, Meloy, Metcalf, South, Stobie, Mr. Speaker.

Total 19

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: Bardanouve, Kimble, Mular.

Total 3

House Bill No. 89 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: Mular, Severson.

Total 2

House Bill No. 186 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Bertelsen, Courtney, Feda, Huennekens, Seifert.

Total 5

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: Mular.

Total 1

House Bill No. 239 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Halvorson, McLane, Roth.

Total 3

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: Ellison, Hand, Mular.

Total 3

House Bill No. 240 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch,



McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 95

Noes: None.  
Total 0

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5

Absent or not voting: None.  
Total 0

House Bill No. 241 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 94

Noes: None.  
Total 0

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5

Absent or not voting: Keyser.  
Total 1

House Bill No. 290 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 94

Noes: Ellerd.  
Total 1

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5



Absent or not voting: None.

Total 0

House Bill No. 315 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Estenson, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kvaalen, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Sivertsen, South, Staigmillar, Stobie, Teague, Tower, Tropila, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.

Total 72

Noes: Bardanouve, Barrett, Colburn, Ernst, Eudaily, Fabrega, J. Gunderson, Hand, Kessler, Keyser, Kropp, Lien, McLane, Moore, Seifert, Severson, Smith, Turner, Uhde, Underdal, Williams.

Total 21

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: Ellison, Harrington.

Total 2

House Bill No. 321 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Hand.

Total 1

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: None.

Total 0

House Bill No. 328 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins,

Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 94

Noes: Burnett.  
Total 1

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5

Absent or not voting: None.  
Total 0

House Bill No. 359 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 95

Noes: None.  
Total 0

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5

Absent or not voting: None.  
Total 0

House Bill No. 376 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 94

Noes: None.  
Total 0

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5

Absent or not voting: Bertelsen.  
Total 1

House Bill No. 415 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, South, Staigmilller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 82

Noes: Colburn, Conroy, Cox, Ellison, Feda, Hurwitz, Kessler, Roth, Scully, Smith, Teague, Tropila, Vinger.

Total 13

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: None.

Total 0

House Bill No. 452 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Lund, Shelden.

Total 5

Absent or not voting: None.

Total 0

House Joint Resolution No. 9 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Sivertsen, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde,



Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 87

Noes: Kvaalen, McLane, Moore, Porter, Seifert, Severson, Smith, Stobie.  
Total 8

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5

Absent or not voting: None.  
Total 0

House Joint Resolution No. 14 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 88

Noes: Hurwitz, Kvaalen, Marks, Seifert, Smith, Tower.  
Total 6

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5

Absent or not voting: J. Gunderson.  
Total 1

House Joint Resolution No. 26 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 93

Noes: None.  
Total 0

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5

Absent or not voting: Holmes, South.  
Total 2

Senate Bill No. 55 was concurred in by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorsen, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 95

Noes: None.  
Total 0

Excused: Ellis, Gerke, Hansen, Lund, Shelden.  
Total 5

Absent or not voting: None.  
Total 0

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Harper in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 54 be amended as follows:

1. Amend amendment no. 1, concerning title, line 6.  
Following: "of"  
Strike: "\$1,000"  
Insert: "\$500"

2. Amend amendment no. 2, concerning page 1, section 1, line 19.  
Following: "exceed"  
Strike: "\$1,000"  
Insert: "\$500"

And further amend Third Reading copy as follows:

3. Amend page 1, section 1, line 19.  
Following: "property"  
Insert: "of each registered guest," (76-6)

And as amended, be concurred in. (88-0)

That HB 25 do pass. (88-0)

Shelden present at this time.

That HB 69 do pass. (48-46)

That HB 187 be amended as follows:

1. Amend title, page 1, line 10.  
Following: "before a"

Strike: "local government"

Insert: "municipality with a population of 10,000 or more"

2. Amend page 1, section 1, lines 17 and 18.

Following: "(2), a"

Strike: "local government"

Insert: "municipality with a population of 10,000 or more"

3. Amend page 1, section 1, line 22.

Following: line 21

Strike: "local government"

Insert: "municipality"

4. Amend page 1, section 1, line 23.

Following: "If a"

Strike: "local government"

Insert: "municipality with a population of 10,000 or more"

5. Amend page 2, section 1, line 1.

Following: line 25, page 1

Strike: "local government"

Insert: "municipality"

6. Amend page 2, section 1, lines 6 and 7.

Following: "if the"

Strike: "local government"

Insert: "municipality"

7. Amend page 2, section 1, line 9.

Following: "a"

Strike: "local government"

Insert: "municipality with a population of 10,000 or more" (69-16)

And as amended, do not pass. (67-23)

That HB 289 do pass. (90-1)

That SB 63 be concurred in. (84-8)

That HB 126 be amended as follows:

1. Amend page 3, section 1, subsection (b), lines 21 through 25, and line 1 on page 4.

Following: "(b)"

Strike: lines 21 through 25, and line 1 on page 4 in their entirety

Insert: "Any peace officer, game warden, or other person authorized to enforce the Montana fish and game laws who witnesses any dog pursuing, harassing, attacking, or killing hooved game animals may destroy that dog without criminal or civil liability." (91-1)

And as amended, do pass. (90-1)

That HB 171 do pass. (88-3)

That HB 218 do not pass. (63-28)

That the committee rise and report. (Harper, Chairman)

Harrington moved that HB 69 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

## MOTIONS

Dassinger moved that HB 479 be rereferred from the Committee on Business and Industry to the Committee on Labor and Employment Relations. Motion carried.

Brand moved that HB 612 be rereferred from the Committee on Labor and Employment Relations to the Select Committee on Employee Compensation. Motion carried.

Harrington moved that HB 460 be rereferred from the Committee on Appropriations to the Committee on Education. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., February 4, 1977.

Motion carried.

House adjourned at 4:05 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana  
February 4, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Father Frank McCormick, St. Mary's Catholic Church. Pledge of Allegiance to the Flag.

Roll call. All members present except Davis, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Correctly printed - HB 123, HB 206, HB 219, HB 347, HB 364,  
HB 406, HB 468, HB 551, HB 586. 2/3/77

Correctly engrossed - HB 185. 2/4/77

Considered correctly engrossed - HB 25, HB 171, HB 289.

Correctly printed - HB 119, HB 125, HB 131, HB 304, HB 309,  
HB 409, HB 422.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 12:50 p.m., 2/4/77 - HB 16.

Will be signed by the Speaker on adjournment, 2/4/77 - SB 15, HB 2.

Objection raised by Porter on 2/4/77 on adverse committee report on HB 429. Referred to Second Reading.

RULES (Meloy, Chairman):

2/4/77

Recommend a new House Rule number H7-4 be adopted:

H7-4. Any member may abstain from voting on a question in a standing committee or subcommittee, and the fact of his abstention shall be recorded in the minutes.

Report adopted.

Recommend a new House Rule number H7-5 be adopted:

H7-5. The vote of a member may be recorded in a standing committee or subcommittee, even though the member is absent at the time the vote is taken. Any member who will be absent and wishes his vote to be recorded must leave the same with the standing committee chairman before the vote is taken.

Report adopted.

HB 196 - That an amendment to Section 66-2427 to remove the duplication in plumbing inspection is in order as being within the scope of the title.

Report adopted.

HB 217 - do pass. Report adopted.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 60 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lynch, McLane, Meloy, Menahan, Metcalf, Meyer, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmillar, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 77

Noes: Barrett, Burnett, Courtney, Keyser, Kropp, Manuel, Marks, Moore, Mular, Nathe, Robbins, Scully, Smith, Stobie, Teague, Tropila.

Total 16

Excused: Davis.

Total 1

Absent or not voting: Brand, Feda, Gerke, Lund, O'Connell, Quilici.

Total 6

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 413 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Dussault, Feda, Gilligan, Lynch, Manuel, Mular, Nathe, Scully.

Total 8

Excused: Davis.

Total 1

Absent or not voting: Brand, J. Gunderson, Hurwitz, Lund.

Total 4

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 469 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Gould, Mular.

Total 2

Excused: Davis.

Total 1

Absent or not voting: Brand, Burnett, Lund, Waldron.

Total 4

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 474 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Marks, Meloy, Menahan, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick.

Total 86

Noes: Estenson, Huennekens, Manuel, Metcalf, Porter, Teague, Waldron, Mr. Speaker.

Total 8

Excused: Davis.

Total 1

Absent or not voting: Brand, Burnett, E. Gunderson, Lund, Nathe.

Total 5

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 507 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Feda, Holmes, Mular, Robbins, Teague.

Total 5

Excused: Davis.

Total 1

Absent or not voting: Brand, Burnett, Ellerd, Lund.

Total 4



**MESSAGES FROM THE OTHER HOUSE**

Resolutions passed by the Senate and transmitted to the House  
for concurrence:

2/3/77

Senate Joint Resolution No. 2, introduced by Watt, Fasbender, Roskie,  
et al

Senate Joint Resolution No. 15, introduced by Towe, Thomas, et al

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/3/77

Senate Bill No. 17, introduced by Blaylock

Senate Bill No. 87, introduced by Lowe, Mathers, et al

Senate Bill No. 108, introduced by Kolstad, Aber, et al

Senate Bill No. 129, introduced by Himsl, Fasbender, et al

Senate Bill No. 176, introduced by Murray, Regan

Senate Bill No. 209, introduced by Galt, Kolstad, et al

**MOTIONS**

Fagg moved that HB 196 be rereferred from the Committee on Rules  
to the Committee on Business and Industry. Motion carried.

**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following bills were accepted for introduction on the 18th Legis-  
lative Day, read first time and referred to committees:

HB 677, introduced by Courtney, Cooney, Huennekens, Uhde. Referred  
to Committee on Local Government.

HB 678, introduced by Meloy, Driscoll, Vincent. Referred to Committee  
on Education.

HB 679, introduced by Meloy, Driscoll, Bradley, Vincent, Brand,  
Bardanoue. Referred to Committee on Natural Resources.

HB 680, introduced by Burnett, Kropp, Manuel. Referred to Committee  
on Taxation.

HB 681, introduced by Waldron. Referred to Committee on Taxation.

HB 682, introduced by Bradley, Kimble, Waldron. Referred to Commit-  
tee on Public Health, Welfare and Safety.

HB 683, introduced by Vincent. Referred to Committee on State  
Administration.

HB 684, introduced by Driscoll. Referred to Committee on Appropria-  
tions.

HB 685, introduced by Fagg, Ramirez. Referred to Committee on  
Public Health, Welfare and Safety.

HB 686, introduced by Mular, Quilici, Lynch, Harrington, Cooney,  
Meloy, Teague, O'Connell, Courtney, Colburn, Seifert. Referred to  
Committee on Labor and Employment Relations.

HB 687, introduced by Lynch, (By Request of the Governor). Referred  
to Committee on Natural Resources.

HB 688, introduced by Frates, Vincent, J. Gunderson, O'Connell,  
Courtney. Referred to Committee on Highways and Transportation.

HB 689, introduced by Frates, Hirsch, Metcalf. Referred to Committee  
on Natural Resources.



HJR 53, introduced by Mular, Brand, Kvaalen, Quilici, Cooney, Courtney, Harrington, Metcalf, Feda, Lynch, Driscoll, Estenson, Bradley, Day, Meloy, Bengtson, Vinger, Dussault, Harper. Referred to Committee on Highways and Transportation.

HJR 54, introduced by Meloy, Mular, Gilligan, Metcalf, Estenson, Kenny, Bardanouve, Harper, Marks, Halvorson, Robbins, Ryan, Day, Conroy, Lynch, Hand, Vincent, Scully, Tropila, Uhde, Courtney, Frates, Bengtson, Pistoria, Harrington, O'Connell, E. Gunderson, Staigmiller. Referred to Committee on Agriculture, Livestock and Irrigation.

The following Senate bills were introduced, read first time and referred to committees:

SB 17, introduced by Blaylock. Referred to Committee on Education.

SB 87, introduced by Lowe, Mathers, Thiessen, Boylan, Hager, Lockrem, Brown, Manning, Himsl. Referred to Committee on Taxation.

SB 108, introduced by Kolstad, Aber, E. Smith, Murphy, Murray, Stephens, Galt, Jergeson, Peterson, Lee, Healy. Referred to Committee on Education.

SB 129, introduced by Himsl, Fasbender, Mathers, Thiessen, Blaylock, Lowe, Kolstad, Regan. Referred to Committee on Taxation.

SB 176, introduced by Murray, Regan. Referred to Committee on Judiciary.

SB 209, introduced by Galt, Kolstad, McOmber, Dunkle, Roskie, Nelson, Jergeson. Referred to Committee on Agriculture, Livestock and Irrigation.

SJR 2, introduced by Watt, Fasbender, Roskie, Murray, Roberts. Referred to Committee on Taxation.

SJR 15, introduced by Towe, Thomas, Warden, Blaylock, Watt. Referred to Committee on Public Health, Welfare and Safety.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 19 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Davis.

Total 1

Absent or not voting: Brand.

Total 1

House Bill No. 280 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Dussault, Kessler, Kimble.

Total 3

Excused: Davis.

Total 1

Absent or not voting: Brand, Mular.

Total 2

House Bill No. 310 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Hand, Moore, Ryan, Tropila.

Total 4

Excused: Davis.

Total 1

Absent or not voting: Brand, Ellison.

Total 2

Senate Bill No. 54 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici,

Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Davis.

Total 1

Absent or not voting: Brand, Fabrega.

Total 2

Senate Bill No. 63 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 91

Noes: Courtney, Dussault, Frates, Jensen, Uhde, Mr. Speaker.

Total 6

Excused: Davis.

Total 1

Absent or not voting: Brand, J. Gunderson.

Total 2

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follow:

That HB 69 be amended as follows:

1. Amend page 7, section 4, line 2.

Following: "authority."

Insert: "This act does not transfer authority of hiring employees from the local district to the state." (90-8)

And as amended, do pass. (59-41)

That HB 237 do pass. (97-0)

That HB 268 do not pass. (90-5)

That HB 288 do pass. (88-6)

That HB 402 do pass. (85-2)

That HB 414 do pass. (89-1)

That HB 444 be passed to the bottom of the board.

That HJR 12 do pass. (61-38)

That HJR 27 do pass. (93-6)

That SB 35 be passed to the bottom of the board.

That HB 204 be passed to the bottom of the board.

That HB 123 do pass. (77-14)

That HB 174 be placed below HB 221 on the board.

That HB 206 do pass. (87-7)

That HB 219 do pass. (68-23)

That HB 221 do pass. (81-13)

That HB 174 be passed to the bottom of the board.

That HB 227 do pass. (92-0)

That HB 236 do pass. (72-16)

That HB 238 be amended as follows:

1. Amend page 2, section 1, line 1.

Following: "for a"

Strike: "writ of" (87-0)

And as amended, do pass. (72-20)

That the committee rise and report. (Scully, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

2/4/77

Correctly enrolled - HB 2.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman):

2/4/77

HB 483, do pass. Report adopted.

HB 533, introduced bill, be amended as follows:

1. Amend page 1, section 1, lines 12 and 13.

Following: "manner"

Strike: "so as to endanger the property or life or limb of any person"

And as amended, do pass. Report adopted.

HB 601, do not pass.

HJR 46, do pass. Report adopted.

Meloy moved that the House adjourn until 10:00 a.m., February 5, 1977.

Motion carried.

House adjourned at 3:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## THIRTIETH LEGISLATIVE DAY

Helena, Montana  
February 5, 1977

House Chambers  
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by Father William Greytak, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Conroy, Dussault, Kennerly, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Twenty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Considered correctly engrossed - HB 123, HB 206, HB 219, HB 221,  
HB 227, HB 236, HB 237, HB 288, HB 402, HB 414, HJR 12,  
HJR 27. 2/5/77

Correctly printed - HB 124, HB 299, HB 314. 2/4/77

Correctly printed - HB 217, HB 429, HB 483, HJR 46. 2/5/77

Will be signed by the Speaker on adjournment, 2/5/77 - SB 3, SB 20.

Were signed by the Speaker on adjournment 2/4/77 - HB 2, SB 15.

#### AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman): 2/3/77

HB 317, introduced bill, be amended as follows:

1. Amend page 3, section 1, line 1.

Following: "or"

Strike: "provisions"

Insert: "provision"

2. Amend page 4, section 2, line 16.

Following: "(locations)"

Strike: "of"

3. Amend page 4, section 2, line 24.

Strike: "letter"

Insert: "mail"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 325, do pass. Report adopted.

#### NATURAL RESOURCES (Shelden, Chairman): 2/4/77

HB 484, introduced copy, be amended as follows:

1. Amend page 4, section 3, subsection (4), line 6.

Following: "law"

Insert: "and the Grass Conservation Act"

2. Amend page 4, section 3, subsection (7), line 14.

Following: line 13

Insert: "ad hoc voluntary"

Following: "committee"

Insert: "selected as provided in (section 6)"

3. Amend page 7, section 5, line 1.

Following: "management"

Strike: ","

Insert: ","

4. Amend page 7, section 5.

Following: line 1

Insert: "(p) United States fish and wildlife service;

(q) United States agricultural and stabilization service;

(r) Other groups acceptable to the coordinator."

5. Amend page 7, section 6, lines 3 through 7.

Following: "(1)"

Strike: "All members other than the representatives of the agencies enumerated in (section 5) shall be appointed jointly by the executive committee of the association of conservation districts and the board of directors of the Montana association of state grazing districts."

Insert: "The governor shall select the members described in (section 5, subsections (1) through (7)) from a list submitted by the executive committee of the association of conservation districts and the board of directors of Montana association of state grazing districts."

6. Amend page 7, section 6.

Following: line 10

Insert: "(2) The governor shall select the members described in (section 5, subsection (8)) from a list submitted by their respective agencies and/or organizations."

Renumber: subsequent subsections

7. Amend page 7, section 6, lines 14 through 17.

Following: "pleasure of"

Strike: lines 14 through 17

Insert: "the governor with the advice of their respective agencies and organizations."

(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 540, introduced copy, be amended as follows:

1. Amend page 3, section 1, subsection (2), line 6.

Following: "in"

Strike: "subsections (a), (b), and (c)"

Insert: "subsection (1)"

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Lien, Vice-Chairman):

2/4/77

HJR 29, do not pass.

HJR 34, do pass. Report adopted.

HJR 36, do pass. Report adopted.

HB 182, do pass. Report adopted.

HB 432, do not pass.

HB 453, do not pass.

HB 488, do pass. Report adopted.

HB 493, do pass. Report adopted.

HB 508, do pass. Report adopted.

HB 514, do pass. Report adopted.

HB 522, do pass. Report adopted.

Objection raised by Harper on 2/3/77 on adverse committee report on HJR 29. Referred to Second Reading.

## JUDICIARY (Scully, Chairman):

2/4/77

HB 357, do pass. Report adopted.

HB 399, do not pass.

HB 456, do pass. Report adopted.

HB 464, do not pass.

HB 476, introduced bill, be amended as follows:

1. Amend page 1, section 2, subsection (2), line 25.

Following: "of"

Insert: "earned"

2. Amend page 2, section 2, subsection (3), line 2.

Following: "claims"

Strike: "filed"

Insert: "made"

And as amended, do pass. Report adopted.

HB 556, do not pass.

HJR 1, do not pass.

HJR 32, introduced bill, be amended as follows:

1. Amend title, line 7.

Following: line 6

Strike: "endorse"

Insert: "recognize the freedom of"

2. Amend page 1, line 20.

Following: "valued"

Insert: "religious"

3. Amend page 2, line 17.

Following: "Montana"

Strike: "endorse"

Insert: "recognize"

And as amended, do pass. Report adopted.

Objection raised by Bradley on 2/4/77 on adverse committee report on HB 601. Referred to Second Reading.

**MESSAGES FROM THE OTHER HOUSE**

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/4/77

Senate Bill No. 130, introduced by Himsl, et al

Senate Bill No. 169, introduced by Lowe, et al

**MOTIONS**

Vincent moved that HB 238 be rereferred from Engrossing to Second Reading. Motion carried.

Menahan moved that HB 685 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Taxation. Motion carried.

**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

- HB 690, introduced by Ramirez, Porter. Referred to the Committee on Labor and Employment Relations.
- HB 691, introduced by Menahan, (By Request of the Department of Institutions). Referred to Committee on Judiciary.
- HB 692, introduced by Bradley, Huennekens, Meloy. Referred to Committee on Natural Resources.
- HB 693, introduced by Meloy, Bradley. Referred to Committee on Appropriations.
- HB 694, introduced by Fagg, Keyser, Waldron. Referred to Committee on Public Health, Welfare and Safety.
- HB 695, introduced by Harper, Huennekens. Referred to Committee on State Administration.
- HB 696, introduced by Harper, Huennekens. Referred to Committee on Appropriations.
- HB 697, introduced by Huennekens, Vincent. Referred to Committee on Natural Resources.
- HB 698, introduced by Huennekens, Vincent. Referred to Committee on Natural Resources.
- HB 699, introduced by Marks. Referred to Committee on Education.
- HB 700, introduced by Brand, Bradley, Meloy, Palmer, Fabrega. Referred to Committee on Labor and Employment Relations.
- HB 701, introduced by Frates, Metcalf, Estenson, Vincent, Palmer, E. Gunderson, Williams, Cooney, Menahan, Holmes, Harper, Eudaily, Scully, Lien, Mular, Gerke, Kimble, Huennekens, Waldron. Referred to Committee on Natural Resources.
- HB 702, introduced by Huennekens, Frates. Referred to Committee on Natural Resources.
- HB 703, introduced by Huennekens, Vincent, Frates. Referred to Committee on Natural Resources.
- HB 704, introduced by Huennekens, Ramirez, Kessler. Referred to Committee on Local Government.
- HB 705, introduced by Dussault. Referred to Committee on Public Health, Welfare and Safety.
- HB 706, introduced by Sivertsen, Aageson, Burnett, Roth, Ellerd, Lien, Manuel, Hirsch, Cox, Dassinger. Referred to Committee on Taxation.
- HB 707, introduced by Sivertsen, Conroy, Dussault, Estenson, Harrington, Lien, Kennerly, Barrett, Lund, Burnett. Referred to Committee on Education.
- HJR 55, introduced by Vincent, Quilici, Fabrega, Tower, Tropila, Burnett, Nathe, Harrington, Aageson, Kenny, Ellison, Fagg, Harper, Scully, Metcalf, Sheldon, Bradley. Referred to Committee on Business and Industry.

The following Senate bills were introduced, read first time and referred to committees:

- SB 130, introduced by Himsl, Fasbender, Mathers, Thiessen, Blaylock, Lowe, Kolstad, Regan. Referred to Committee on Taxation.
- SB 169, introduced by Lowe, Dunkle, Manley, Norman. Referred to Committee on Fish and Game.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 25 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss,



Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Brand, Conroy, Dussault, Kennerly.

Total 4

Absent or not voting: Stobie.

Total 1

House Bill No. 171 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brand, Conroy, Dussault, Kennerly.

Total 4

Absent or not voting: None.

Total 0

House Bill No. 185 was passed by the following vote:

Ayes: Aageson, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Moore, Mular, Nathe, O'Keefe, Porter, Quilici, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: R. Baeth, W. Baeth, Bardanouve, Colburn, Cooney, Courtney, Estenson, Harper, Holmes, Kessler, Meloy, Metcalf, O'Connell, Palmer, Pistoria, Ramirez, Robbins, Roth, Ryan, Shelden, Tropila, Vincent, Waldron.

Total 23

Excused: Brand, Conroy, Dussault, Kennerly.

Total 4

Absent or not voting: None.

Total 0

House Bill No. 289 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brand, Conroy, Dussault, Kennerly.

Total 4

Absent or not voting: None.

Total 0

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Bradley moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Keyser in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 330 do pass. (94-0)

That HB 347 do pass. (93-0)

That HB 364 do pass. (94-0)

That HB 379 be amended as follows: (89-1)

1. Amend title, lines 9 and 10.

Following: "(assessed)"

Strike: "taxed"

Insert: "assessed"

2. Amend page 3, section 2, subsection (E), lines 6 through 8.

Following: line 5

Strike: "(E) campers, truck canopy covers, or toppers which are required by subdivision 4 hereof to be assessed as of the first day of January."

3. Amend page 3, section 2, subsection (F), line 9.

Following: "(f) (e) (F)"

Strike: "(F)"

Insert: "(e)"

4. Amend page 3, section 2, subsection (2), lines 22 and 23.

Following: line 22

Strike: "taxed"

Insert: "assessed"

5. Amend page 5, section 2, subsection (4), lines 10 through 17.

Following: line 9

Strike: lines 10 through 17 in their entirety

6. Amend page 5, section 2, subsection (5), line 18.

Following: "((5) (4)) (5)"

Strike: "(5)"

Insert: "(4)" (89-1)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (86-10)

That HB 404 do pass. (80-7)

That HB 406 do pass. (56-36)

That HB 448 be amended as follows:

1. Amend title, page 1, line 9.

Following: "sections"

Strike: "75-6513"

Insert: "75-6512" (86-2)

And as amended, do pass. (83-11)

That HB 468 do pass. (93-1)

That HB 551 do pass. (93-0)

That HB 586 do pass. (87-8)

That HJR 4 do pass. (95-0)

That SB 9 be passed for the day.

That HB 444 be passed until the 31st Legislative Day.

That SB 35 be concurred in. (91-0)

That HB 204 do pass. (50-47)

That HB 174 be amended as follows:

1. Amend page 1, section 2, lines 12 and 13.

Strike: "protect the health and atmospheric environment of nonsmokers and to"

2. Amend page 1, section 3, subsection (2), line 19.

Following: "means a"

Insert: "public transportation vehicle or a"

3. Amend page 1, section 3, subsection (2), line 22 through line 11 on page 2.

Following: "persons"

Strike: line 22 on page 1 through the word "public" on line 11 on page 2 in their entirety

4. Amend page 2, section 4, subsection (1), lines 19 and 20.  
Following: "nonsmoking area"  
Strike: "at least one-half"  
Insert: "an adequate portion"
5. Amend page 2, section 5, line 24 through line 6 on page 3.  
Strike: section 5 in its entirety  
Renumber: all subsequent sections
6. Amend page 3, section 6, subsection (2), line 10.  
Following: "The"  
Insert: "owner or"
7. Amend page 3, section 6, subsection (2), line 13.  
Following: "store"  
Insert: "owner or"
8. Amend page 3, section 7, subsection (1), line 16.  
Following: "permitted,"  
Strike: "offices, halls, and other public places"  
Insert: "an office, hall, or other public place"
9. Amend page 3, section 7, subsection (1), line 18.  
Following: "air"  
Strike: "are"  
Insert: "is"
10. Amend page 3, section 7, subsection (1), line 20.  
Following: "of"  
Insert: "other sections of"  
Following: "act"  
Insert: ", and may be designated as a 'smoking room'"
11. Amend page 3, section 7, subsection (2), line 21.  
Following: "shall"  
Strike: "adopt rules governing the granting of exclusions"  
Insert: "be responsible for periodic evaluation of the effectiveness of the local health officer in implementing this act"
12. Amend page 3, section 8, line 24.  
Following: line 23  
Strike: "department or"
13. Amend page 3, section 8, line 25.  
Following: "ascertain"  
Strike: "compliance with this act"  
Insert: "the presence of no-smoking signs"
14. Amend page 4, section 9, lines 1 and 2.  
Following: "violation."  
Strike: "A manager of a public place convicted of violating this act shall be fined"  
Insert: "A local health department may after five days' warning charge the manager of a public place a fine of"
15. Amend page 4, section 9, line 3.  
Following: "than"  
Strike: "\$100"  
Insert: "\$50"  
Following: "day"  
Strike: "of offense"  
Insert: "that signs are not posted in accordance with this act"



16. Amend page 4, sections 10 through 12, lines 4 through 16.

Following: "authorized."

Strike: lines 4 through 16 in their entirety

Insert: "A local health officer may sue to enjoin the operation of a public place found to be in repeated violation of this act."

Renumber: subsequent section (75-14)

And as amended, do pass. (62-34)

That HB 119 do pass. (79-14)

That HB 124 do pass. (80-5)

That HB 125 do pass. (77-8)

That HB 131 do pass. (89-0)

That HB 304 do pass. (82-5)

That HB 309 do pass. (87-3)

That HB 314 do pass. (89-0)

That HB 409 do pass. (85-3)

That HB 422 do pass. (89-0)

That the committee rise and report. (Keyser, Chairman) Report adopted.

Scully moved that HB 204 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

2/5/77

Correctly printed - HB 340, HB 601, HJR 29.

Correctly engrossed - HB 126.

EDUCATION (Gilligan, Vice-Chairman):

2/5/77

HB 305, introduced bill, be amended as follows:

1. Amend page 2, section 2, subsection (b), line 11.

Following: "the"

Insert: "basic"

And as amended, do pass. Report adopted.

HB 410, introduced bill, be amended as follows:

1. Amend title, page 1, line 6.

Following: "for"

Strike: "funding"

Insert: "administration"

2. Amend title, page 1, line 7.

Following: "programs"

Insert: "; amending section 75-7212 to allow for financial administration of the program by school districts and establishing an automatic repeal date"

3. Amend the bill, pages 1 through 3.

Strike: all of the bill following the enacting clause.

Insert: "Section 1. Definitions. As used in this act the following definitions apply:

(1) 'Gifted and talented children' means children of outstanding

abilities who are capable of high performance and require differentiated educational programs beyond those normally offered in public schools in order to realize their contribution to self and society. The children so identified include those with demonstrated achievement or potential ability in any one or more of the following areas:

- (a) general intellectual ability;
- (b) specific academic aptitude;
- (c) creative or productive thinking;
- (d) leadership ability;
- (e) visual and performing arts; and
- (f) psychomotor ability.

(2) 'Professionally qualified persons' means teachers, administrators, school psychologists, counselors, curriculum specialists, artists, musicians, and others with special training who are qualified to appraise pupils' special competencies.

Section 2. School district programs to identify and serve the gifted and talented child. (1) School districts may identify gifted and talented children and devise programs to serve them.

(2) In identifying gifted and talented children, the school district shall:

- (a) consult with professionally qualified persons and the parents of children being evaluated;
- (b) consider a child's demonstrated or potential gifts or talents as listed in section 1 (1); and
- (c) use a multiplicity of assessment methods including objective measures and professional assessment measures.

Section 3. Funding of programs to serve gifted and talented children. The superintendent of public instruction shall make public the criteria for proposals and the procedures for submissions of proposals as such criteria and procedures are developed by the advisory council. Proposals approved by the superintendent shall be funded by moneys appropriated to the superintendent for that purpose. However, school districts shall match any funds provided by the superintendent for those programs with equal funds from other sources. Funds shall be administered by the school district as provided in 75-7212, miscellaneous program fund.

Section 4. Review and recommendations of proposals. (1) Program proposals submitted by school districts to the superintendent of public instruction shall contain:

- (a) a description of the procedures used to identify the gifted and talented children to be served;
- (b) areas of talent to be served;
- (c) a description of proposed program content; and
- (d) a method to evaluate the effectiveness of the program.

(2) Proposals may specify that special education support staff employed by the district or the regional services program be used

to assist in the identification of children in the program. School districts may request assistance from the staff of the superintendent in formulating program proposals.

(3) The superintendent of public instruction shall establish a gifted and talented program advisory council of at least seven members representing educators, parents, and citizens or assign to an established advisory council additional responsibilities for the gifted and talented. The superintendent shall appoint representatives from all geographic areas of the state and at least half of the council shall represent second- or third-class school districts. The duties of the council are:

(a) to develop criteria and procedures for the submission of proposals;

(b) to review proposals submitted by school districts and make recommendations for approval to the superintendent; and

(c) to assure that project evaluation procedures are completed.

(4) The council's organization, meetings, quorum, and compensation are as provided in 82A-110.

Section 5. Act in force for 2 years. Sections 1, 2, 3 and 4 are repealed effective June 30, 1979.

Section 6. Section 75-7212 is amended to read as follows:

'75-7212. Miscellaneous (federal) programs fund. The trustees of any district receiving state grant money or federal moneys other than moneys under the provision of Title I of Public Law 81-874 or federal moneys designated for deposit in a specific fund of the district shall establish a miscellaneous (federal) programs fund for the deposit of such (federal) moneys. Such (federal) moneys may be a reimbursement of expenditures already realized by the district, or may be a grant of moneys for the financing of expenditures to be realized by the district for a special, approved program to be operated by the district. When the (federal) moneys are a reimbursement, the moneys shall be expended at the discretion of the trustees for school purposes. When the (federal) moneys are a grant, the moneys shall be expended according to the conditions of the program approval by the superintendent of public instruction or any other approval agent. Within the miscellaneous (federal) programs fund, the trustees shall cause a separate accounting to be maintained for each (federal) grant program and for the aggregate of all (federal) reimbursement moneys.

The financial administration of the miscellaneous (federal) programs fund shall be in accordance with the financial administration provisions of this Title for a nonbudgeted fund which shall be applied by individual (federal) grant programs or for the aggregate amounts of the (federal) reimbursement moneys rather than on the basis of the total fund."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 443, introduced bill, be amended as follows:

1. Amend title, page 1, line 5.  
Following: "a"

Insert: "clear and explicit"

2. Amend title, page 1, lines 5 and 6.

Following: "statement"

Strike: "and hearing before"

Insert: "by"

3. Amend page 2, section 1, subsection (2), lines 17 through 22.

Following: line 16

Strike: lines 17 through 22 in their entirety

And as amended, do pass. Report adopted.

HB 449, introduced bill, be amended as follows:

1. Amend title, page 1, line 5.

Following: "educational"

Strike: "facilities"

Insert: "programs"

2. Amend page 1, section 1, line 14.

Following: "vocational"

Strike: "facilities"

Insert: "programs"

3. Amend page 1, section 1, line 18.

Following: "instruction."

Insert: "The board of public education may waive those standards which are inappropriate to an institutional program or specify that such programs be operated in accord with the special education program rules and regulations pursuant to 75-7802 and 75-7803, including certification of teachers."

And as amended, do not pass.

HB 463, do not pass.

HB 485, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 14.

Following: "school,"

Insert: "on the way to or from school,"

2. Amend page 1, section 1, line 19.

Following: "anger"

Insert: "and only in the presence of a witness"

And as amended, do pass. Report adopted.

HB 489, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

2/4/77

HB 267, do pass. Report adopted.

HB 481, do pass. Report adopted.

Objection raised by Mular on 2/5/77 on adverse committee report on HJR 1. Referred to Second Reading.

### MOTIONS

Meloy moved that SB 9 be rereferred from Second Reading to the Committee on Rules. Motion carried.

Huennekens moved that HB 685 be rereferred from the Committee on Taxation to the Committee on Judiciary. Motion carried.



**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 708, introduced by Driscoll, Bengtson. Referred to Committee on Appropriations.

HB 709, introduced by Menahan. Referred to Committee on Public Health, Welfare and Safety.

HB 710, introduced by Menahan. Referred to Committee on State Administration.

HB 711, introduced by Menahan. Referred to Committee on State Administration.

HB 712, introduced by Fagg. Referred to Committee on Taxation.

HB 713, introduced by Ramirez, Porter, Fagg, Meloy. Referred to Committee on Judiciary.

HB 714, introduced by Waldron, Fabrega, Palmer, Quilici, Ellis. Referred to Committee on Labor and Employment Relations.

HJR 56, introduced by Waldron, Kimble, Kennerly, Dussault, Vincent. Referred to Committee on Education.

Meloy moved that the House adjourn until 1:00 p.m., February 7, 1977.

Motion carried.

House adjourned at 2:40 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana  
February 7, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Dussault, Kennerly, Uhde, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirtieth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 2/7/77  
Considered correctly engrossed - HB 119, HB 124, HB 125, HB 131, HB 304, HB 309, HB 314, HB 330, HB 347, HB 364, HB 404, HB 406, HB 409, HB 422, HB 468, HB 551, HB 586, HJR 4.  
Correctly engrossed - HB 69.  
Correctly printed - HB 182, HB 267, HB 317, HB 325, HB 357, HB 456, HB 476, HB 481, HB 484, HB 488, HB 489, HB 493, HB 508, HB 514, HB 522, HB 533, HB 540, HJR 32, HJR 34, HJR 36.

Was signed by the Speaker on adjournment, 2/4/77 - HB 2.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 10:50 a.m., 2/7/77 - HB 2.

Were signed by the Speaker on adjournment, 2/5/77 - SB 3, SB 20.

### AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman): 2/5/77  
HB 262, introduced bill, be amended as follows:  
1. Amend page 5, section 6, line 21.  
Following: "sued;"  
Strike: "appoint and employ officers, agents, and other personnel, including experts in agriculture, dairying, and the publicizing of dairy products, and prescribe their duties and fix their compensation;"

And as amended, do not pass.

Objection raised by J. Gunderson on 2/5/77 on adverse committee report on HB 262. Referred to Second Reading.

BUSINESS AND INDUSTRY (Vincent, Chairman): 2/7/77  
SB 78, be concurred in. Report adopted.  
HB 417, introduced bill, be amended as follows:

1. Amend page 4, section 2, line 10.  
Following: "upon"  
Strike: "sufficient"  
Following: "proof"  
Strike: "to the commission"

2. Amend page 4, section 2, line 11.

Following: line 10

Strike: "in"

Insert: "of"

3. Amend page 4, section 2, lines 11 and 12.

Following: "reflecting a"

Strike: "continuous and permanent"

4. Amend page 4, section 2, line 13.

Following: "act,"

Insert: "which business records shall be submitted to the commission in an informal manner,"

5. Amend page 4, section 2, line 18.

Following: "act"

Strike: ". Thereafter"

Insert: "; and the commission shall issue such Class D certificates within an additional 90 days, and thereafter"

And as amended, do pass. Report adopted.

HB 418, do pass. Report adopted.

HB 442, do not pass.

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 399 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, Smith, South, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Teague.

Total 1

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Burnett, Hand, Kimble, O'Connell, Palmer, Seifert, Staigmiller, Stobie.

Total 8

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on HB 432 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Ellerd, Ellison, Eudaily, Fagg, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Smith, South, Teague, Tower, Tropila, Turner, Underdal, Vincent, Waldron, Williams, Mr. Speaker.



Total 68

Noes: Aageson, Barrett, Cox, Curtiss, Davis, Ellis, Ernst, Estenson, Fabrega, Feda, Frates, Gould, J. Gunderson, Hansen, Holmes, Lund, Marks, Metcalf, Meyer, Moore, Sivertsen, Stobie, Vinger, Wood, Wyrick.

Total 25

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Burnett, Kimble, Seifert, Staigmilller.

Total 4

On motion by Gilligan, and in accordance with the 24-hour rule, the adverse committee report on HB 449 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Barrett, Brand, Cooney, Courtney, Eudaily, Harrington, Keyser, Moore, Smith, Stobie, Waldron.

Total 11

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Metcalf, Staigmilller.

Total 2

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on HB 453 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kvaalen, Lory, Lund, McLane, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Smith, Tower, Turner, Underdal, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 68

Noes: Aageson, Barrett, Bradley, Brand, Colburn, Dassinger, Ellerd, Estenson, Gerke, Harper, Huennekens, Kimble, Kropp, Lien, Lynch, Manuel, Meloy, Pistoria, Roth, Sivertsen, South, Stobie, Teague, Tropila, Vincent, Wood.

Total 26

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Bertelsen, Burnett, Staigmilller.

## Total 3

On motion by Gilligan, and in accordance with the 24-hour rule, the adverse committee report on HB 463 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: R. Baeth, Bradley, Colburn, Harper, Harrington, Holmes, Huennekens, Kessler, Kimble, Metcalf, Mular, Teague, Vincent.

Total 13

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Burnett, Halvorson, Staigmiller.

Total 3

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 464 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Bradley, Brand, Cooney, Estenson, Harper, Holmes, Huennekens, Kessler, Meloy, Metcalf, Palmer, Vincent, Waldron.

Total 13

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Burnett, Ellerd, Severson.

Total 3

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 556 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks,

Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 87

Noes: Barrett, Brand, Estenson, Meloy, Mular, O'Keefe, Ryan, Stobie, Tropila.  
Total 9

Excused: Dussault, Kennerly, Uhde.  
Total 3

Absent or not voting: Burnett.  
Total 1

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence: 2/5/77

Senate Bill No. 73, introduced by Regan

Senate Bill No. 119, introduced by Hazelbaker, Roberts

Senate Bill No. 137, introduced by Mathers, et al

Senate Bill No. 190, introduced by Turnage

Senate Bill No. 216, introduced by Boylan, et al

Senate Bill No. 261, introduced by Galt, Mathers, Towe

Resolutions passed by the Senate and transmitted to the House  
for concurrence: 2/5/77

Senate Joint Resolution No. 14, introduced by Story, et al

Senate Joint Resolution No. 18, introduced by Boylan, et al

### MOTIONS

Scully moved that HB 640 be rereferred from the Committee on Taxation to the Committee on Highways and Transportation. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 715, introduced by Fagg, Sivertsen, Marks, Burnett, Vincent, Bradley, McLane, Nathe, Ellison, Smith, Lund, Harper, Kimble, Ramirez, Driscoll. Referred to Committee on Labor and Employment Relations.

HB 716, introduced by Uhde, Metcalf, Huennekens, Harper, Dassinger, Teague, Mular, Waldron, Palmer. Referred to Committee on Local Government.

HB 717, introduced by Meloy. Referred to Committee on Natural Resources.

HB 718, introduced by Meloy. Referred to Committee on Judiciary.

HB 719, introduced by Meloy. Referred to Committee on Judiciary.

HB 720, introduced by Meloy. Referred to Committee on Judiciary.

HJR 57, introduced by E. Gunderson, Holmes, Lund, Dassinger, Bengtson, Lien, Sivertsen, Porter. Referred to Committee on Education.



The following Senate bills were introduced, read first time and referred to committees:

SB 73, introduced by Regan, (By Request of the Department of Business Regulation). Referred to Committee on Business and Industry.

SB 119, introduced by Hazelbaker, Roberts. Referred to Committee on Judiciary.

SB 137, introduced by Mathers, E. Smith, Jergeson, Kolstad, Etchart, Graham, Thiessen. Referred to Committee on Taxation.

SB 190, introduced by Turnage. Referred to Committee on Business and Industry.

SB 216, introduced by Boylan, Story, Flynn, McOmber. Referred to Judiciary Subcommittee on Montana Water.

SB 261, introduced by Galt, Mathers, Towe. Referred to Committee on Agriculture, Livestock and Irrigation.

SJR 14, introduced by Story, Murray, Dunkle, Roskie, Galt, Dover, Flynn, Boylan, Blaylock. Referred to Committee on Natural Resources.

SJR 18, introduced by Boylan, Galt, Graham, Kolstad, Stephens, Etchart, Dunkle, Mathers, Hazelbaker, Manley, E. Smith, Flynn, Roskie, Thiessen. Referred to Committee on Natural Resources.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 123 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, South, Staigmillier, Teague, Tower, Tropila, Turner, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Burnett, Ellison, Feda, Hansen, Keyser, Kvaalen, Nathe, Ramirez, Smith, Stobie, Vinger.

Total 11

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Kessler, Seifert.

Total 2

House Bill No. 126 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular,



Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Fagg, Porter, Ramirez, Roth, Ryan, Stobie.

Total 6

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Dassinger.

Total 1

House Bill No. 206 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 88

Noes: Bardanouve, Brand, Fagg, Kessler, O'Connell, Porter, Ramirez, Stobie, Mr. Speaker.

Total 9

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: None.

Total 0

House Bill No. 219 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Davis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Halvorson, Hand, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 76

Noes: Aageson, Brand, Cox, Dassinger, Day, Ellerd, Ellis, Gould, E. Gunderson, J. Gunderson, Hansen, Harper, Jensen, Kessler, Keyser, Palmer, Porter, Ramirez, Turner, Wyrick.

Total 20

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Seifert.

Total 1

House Bill No. 221 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Bradley, Colburn, Day, Estenson, Hirsch, Kessler, Meloy, Moore, Teague, Vincent.

Total 10

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Bardanouve, Lynch.

Total 2

House Bill No. 227 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Lynch.

Total 1

House Bill No. 236 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, Manuel, Meloy, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden,

South, Teague, Tower, Tropila, Turner, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 73

Noes: Aageson, Burnett, Curtiss, Dassinger, Fabrega, Hand, Hansen, Keyser, Lory, McLane, Marks, Meyer, Moore, Severson, Sivertsen, Smith, Staigmiller, Stobie, Underdal, Vinger, Wyrick.

Total 21

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Ellison, Kenny, Menahan.

Total 3

House Bill No. 237 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Bardanouve.

Total 1

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Severson.

Total 1

House Bill No. 288 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Bardanouve, Brand, Dassinger, Fabrega, Huennekens, Lien, Porter, Ramirez.

Total 8

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: None.



Total 0

House Bill No. 402 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: Fabrega, Hirsch.

Total 2

House Bill No. 414 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Cox.

Total 1

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: None.

Total 0

House Joint Resolution No. 12 failed by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Bertelsen, Burnett, Conroy, Cox, Curtiss, Ellison, Ernst, Fabrega, Fagg, Fedá, Huennekens, Hurwitz, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Nathe, O'Keefe, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick, Mr. Speaker.

Total 42



Noes: R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Davis, Day, Ellerd, Ellis, Estenson, Eudaily, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Jensen, Johnston, Kanduch, Kessler, Kimble, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Robbins, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams.  
Total 56

Paired: Fabrega, Aye; Uhde, No.

Excused: Dussault, Kennerly.

Total 2

Absent or not voting: None.

Total 0

House Joint Resolution No. 27 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Bardanouve, Courtney, Gilligan, Harrington.

Total 4

Excused: Dussault, Kennerly, Uhde.

Total 3

Absent or not voting: None.

Total 0

Waldron excused at this time.

### **SPECIAL ORDERS OF THE DAY**

The Speaker appointed Representatives Day and Wyrick to escort the Governor and his party into the Chambers. The Speaker introduced Governor Judge who presented the 1977 Teacher of the Year Award to Mrs. Vera Bruggman of Baker, Montana. She was presented the Teacher of the Year Scrapbook by Georgia Ruth Rice, Superintendent of Public Instruction. Mrs. Bruggman extended words of appreciation to those who made this occasion possible. The Governor and his party were escorted from the Chambers.

### **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Menahan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 204 be amended as follows:

1. Amend page 2, section 3, line 23.

Following: "senate"

Insert: ", unless the Lieutenant Governor is appointed in which case no confirmation is necessary"

2. Amend page 3, section 5.

Following: line 10

Insert: "(1) coordinate, eliminate the duplication which exists among the various state agencies, and render more effective the energy and resource related activities of state government;"

Renumber: subsequent subsections (84-3)

And as amended, do pass. (58-39)

That HB 217 do pass. (67-31)

That HB 299 be passed to the bottom of the board.

That HB 340 be amended as follows:

1. Amend page 1, section 1, line 24.

Following: "(6/10)"

Strike: "3/10"

Insert: "6/10"

2. Amend page 1, section 1, line 25.

Following: "account"

Insert: "and 3/10 of 1% of all money shall be deposited in a snowmobile account"

3. Amend page 3, section 1, line 11.

Following: "safety"

Strike: "15% of the amount deposited in the fund each year is to be devoted to the snowmobile safety project the first 2 years and 10% thereafter"

4. Amend page 3, section 1, line 13.

Following: "thereafter."

Insert: "For the 2 years following July 1, 1977, 15% of the amount deposited in the snowmobile fund each year shall be used to promote snowmobile safety. Thereafter, 10% of the amount deposited in the snowmobile fund shall be used to promote snowmobile safety." (74-9)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (66-24)

Waldron present at this time.

Lynch replaced Menahan in the Chair.

Menahan resumed the Chair.

That HB 429 do not pass. (54-45)

That HB 483 do pass. (88-3)

That HB 601 be amended as follows:

1. Amend page 1, section 1, line 21.

Strike: "Bond for this offense shall be \$5.00." (68-16)

And as amended, do not pass. (67-29)

That the committee rise and report. (Menahan, Chairman)

Tropila moved that HB 217 be segregated from the Committee of the Whole report and as amended be adopted. Motion failed. Thereupon report adopted.

### REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker on adjournment, 2/7/77 - SB 7, SB 8, SJR 1.

JUDICIARY (Scully, Chairman):

2/7/77

HB 326, introduced bill, be amended as follows:

1. Amend page 1, section 3, line 17.

Following: "government"

Strike: "or"

And as amended, do pass. Report adopted.

HB 462, do not pass.

HB 475, do not pass.

HB 477, do pass. Report adopted.

HB 492, do pass. Report adopted.

HB 498, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (1), line 13.

Following: "investigate"

Strike: "criminal activity"

Insert: "alleged unlawful activity"

And as amended, do pass. Report adopted.

HB 499, do pass. Report adopted.

HB 500, do pass. Report adopted.

HB 513, do pass. Report adopted.

HB 532, do pass. Report adopted.

HB 559, do pass. Report adopted.

HJR 17, do not pass.

SB 70, be concurred in. Report adopted.

STATE ADMINISTRATION (Brand, Chairman):

2/7/77

HB 263, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "with"

Strike: "5"

Insert: "10"

2. Amend page 2, section 2, subsection (a), line 19.

Following: "least"

Strike: "5"

Insert: "10"

And as amended, do pass. Report adopted.

HB 302, introduced bill, be amended as follows:

1. Amend page 2, section 1, line 5.

Following: "disclosure(:)."

Insert: "The right of individual privacy may be waived by the individual about whom the discussion pertains and, in that event, the meeting shall be open."

2. Amend page 3, section 2, line 4.

Following: "to"

Insert: "hear,"

3. Amend page 3, section 3, subsection (1), line 9.

Following: "agencies"

Insert: "of state government"

4. Amend page 5, section 6.

Following: line 6

Insert: "Section 7. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 506, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (2), lines 21 through 24.

Following: "voluntary."

Strike: "The secretary of state shall inform all persons entitled to register electors of the voluntary nature of the information, and they in turn shall inform any elector being registered."

Insert: "The secretary of state shall inform county registrars that party preference information may not be required of electors registering to vote. County registrars in turn shall instruct or inform all other persons in the county entitled to register electors of the voluntary nature of the information. All persons entitled to register electors shall inform any electors being registered of the voluntary nature of the information."

And as amended, do pass. Report adopted.

HB 519, do not pass.

NATURAL RESOURCES (Shelden, Chairman):

2/7/77

HB 311, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

2/5/77

HB 412, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "materials"

Strike: "of nonrenewable natural resources and"

Insert: " , "

2. Amend title, line 6.

Following: "progress"

Strike: "on such materials"

Insert: " , and finished products in storage of nonrenewable natural resources"

3. Amend page 3, section 1, subsection (c), lines 13 and 14.

Following: "materials"

Strike: "of nonrenewable natural resources, and"

Insert: " , "



4. Amend page 3, section 1, line 14.

Following: "progress"

Strike: "with respect to such goods"

Insert: ", and finished products in storage of nonrenewable natural resources"

And as amended, do pass. Report adopted.

Objection raised by Waldron on 2/7/77 on adverse committee report on HB 519. Referred to Second Reading.

Meloy moved that the House adjourn until 1:30 p.m., February 8, 1977.

Motion carried.

House adjourned at 4:15 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## THIRTY-SECOND LEGISLATIVE DAY

Helena, Montana  
February 8, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

February 4, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Driscoll:

The following is a list of pages who are hired for the week of February 7th through February 11th, 1977:

Gail Sylling	Billings
Julie Rusk	Seeley Lake
Joyce Meyer	Fairfield
Lisa Cybulski	Plentywood
Barbara Boyd	Anaconda
Katherine Greany	Anaconda
Robert Deichert	Billings

The following page will be working from February 9th through February 15th:

Bobbie Jensen	Helena
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The following page will be working from February 10th through February 16th:

Melody Lees	Helena
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Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Correctly printed - HB 418.	2/7/77
Correctly printed - HB 305, HB 311, HB 443,	2/8/77
HB 477, HB 485, HB 492, HB 499, HB 500, HB 513, HB 519,	
HB 532, HB 559.	
Considered correctly engrossed - HB 217, HB 483.	2/8/77
Correctly engrossed - HB 379, HB 448.	2/8/77

Were signed by the Speaker on adjournment, 2/7/77 - SB 7, SB 8, SJR 1.

# LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

Quilici, Chairman):

2/7/77

Recommend the following be employed by the House of Representatives for the 45th Session at the beginning of business February 7, 1977:

Gail Sylling .....	Page
Julie Rusk .....	Page
Joyce Meyer .....	Page
Lisa Cybulski .....	Page
Barbara Boyd .....	Page
Katherine M. Greany .....	Page
Robert A. Deichert .....	Page

At the beginning of business February 9, 1977, the following also be employed:

Bobbie Jensen .....	Page
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At the beginning of business February 10, 1977, the following also be employed:

Melody Lees .....	Page
-------------------	------

At the close of business, February 7, 1977, the following also be terminated:

Janet Simmins .....	Page
Julie Carter .....	Page
Lori Strange .....	Page
Cynthia Chase .....	Page
Helen Engebretsen .....	Page
Jamie Murphy .....	Page
Jane La Moure .....	Page

At the close of business, February 9, 1977, the following also be terminated:

Monty Saxby .....	Page
Christi Fendersen .....	Page

Report adopted.

## TAXATION (Huennekens, Chairman):

HB 113, introduced bill, be amended as follows:

2/5/77

1. Amend title, lines 5 and 6.

Following: "interest"

Strike: "on"

Insert: "for persons, businesses, or corporations moving mobile homes on which property taxes are"

Following: "delinquent"

Strike: "payment of taxes on mobile homes which are not taxed as improvements; amending section 84-4204, R.C.M. 1947"

2. Amend pages 1 through 4, line 10.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Penalty for moving mobile home on which taxes due. Any person, business, or corporation that moves a mobile home on which property taxes are unpaid becomes liable for a penalty equal to the amount of tax due on that mobile home. Upon learning that a mobile home on which taxes are due has been moved, the



county treasurer shall send notice to the person, business, or corporation that moved the mobile home, stating the amount of penalty owed. This penalty is due within 15 days of the notice. If the penalty is not paid within this period, it shall draw interest at the rate of  $\frac{2}{3}$  of 1% a month."

And as amended, do pass. Report adopted.

HB 292, introduced bill, be amended as follows:

1. Amend title, line 8.

Following: "84-4906,"

Insert: "84-7401,"

2. Amend page 2, section 1, subsection (1), line 21.

Following: line 20

Strike: "40%"

Insert: "100%"

Following: "expended"

Strike: "40%"

Insert: "100%"

3. Amend page 2, section 1, subsection (1), line 22.

Following: line 21

Strike: "30%"

Insert: "50%"

Following: "expended"

Strike: "30%"

Insert: "50%"

4. Amend page 20.

Following: line 16

Insert: "Section 6. Legislative intent. It is the intent of the legislature that no deduction under this act be allowed for capital investment for an energy conservation practice in the new construction of a building if that capital investment would have been made under established standards of new construction. The department of revenue shall adopt rules to implement this legislative intent. Such rules shall be based on the best currently available methods of analysis, including those of the national bureau of standards, the department of housing and urban development, and other federal agencies and professional societies and materials developed by the department of revenue. Provisions shall be made for an annual updating of rules and standards as required."

Section 7. Section 84-7401 is amended to read as follows:

'84-7401. Statement of purpose. The purpose of this act is to encourage the use of alternative energy sources and the conservation of energy through incentive programs. Such incentives are to be made available to the energy user on a basis which requires him to take the initiative in obtaining a particular incentive. (This act is not intended to require an assessor to revalue property except upon receipt of a properly documented and approved application.) This act allows but does not require a public utility to extend credit for energy conservation investments."

Renumber: subsequent section.

5. Amend page 20, section 6, line 18.

Following: "December 31,"

Strike: "1977"

Insert: "1976"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 324, introduced bill, be amended as follows:

1. Amend page 1, section 1.

Following: line 13.

Strike: "Only one side of a corner lot may be considered as the frontage for the purposes of assessment."

Insert: "Section 2. Allocation of costs of nonfrontage sides. The governing body may allocate to all lots in the special improvement district a proportionate share of the costs of the side not considered as frontage for the purpose of assessment."

And as amended, do pass. Report adopted.

HB 345, introduced bill, be amended as follows:

1. Amend page 1, lines 20, 21, 22.

Following: "return"

Strike: "based on the same method as the group files its federal consolidated income tax return, adjusting items of income and expense"

2. Amend page 1, line 22.

Following: "in accordance with"

Insert: "regulations promulgated under Internal Revenue Code section 1502 except to the extent such regulations are in conflict with"

3. Amend page 4, section 2, line 8.

Following: line 7

Strike: "corporation"

Insert: "affiliated group of corporations or member of an affiliated group of corporations"

4. Amend page 4, section 2, lines 9 and 10.

Following: "state"

Strike: "and subject to allocation and apportionment under 84-1503"

Following: "84-1503."

Insert: "This act does not preclude the department of revenue from electing to combine a corporation under section 84-1503, R.C.M. 1947."

And as amended, do pass. Report adopted.

HB 518, introduced bill, be amended as follows:

2/4/77

1. Amend title, lines 7 and 8.

Following: "subjobber,"

Insert: "or"

Following: "retailer"

Strike: ", or vendor"

2. Amend page 1, section 1, lines 17 and 18.

Following: "subjobber,"

Insert: "or"

Following: "retailer"

Strike: ", or vendor"

3. Amend page 2, section (2), subsection (a), lines 8 and 9.

Following: "wholesaler,"

Insert: "or"

Following: "subjobber"

Strike: ", or vendor"

4. Amend page 2, section (2), subsection (b), line 12.

Following: "subjobber,"

Insert: "or"

Following: "retailer"

Strike: ", or vendor"

5. Amend page 2, section (2), subsection (c), line 16.

Following: "subjobber,"

Insert: "or"

Following: "retailer"

Strike: ", or vendor"

And as amended, do pass. Report adopted.

HB 584, introduced bill, be amended as follows:

2/7/77

1. Amend page 1, section 1, subsection (1), line 15.

Following: "this"

Strike: "act"

Insert: "chapter"

2. Amend page 2, section 2, subsection (1), line 8.

Following: "this"

Strike: "act"

Insert: "chapter"

3. Amend page 3, section 3, subsection (1), line 1.

Following: "this"

Strike: "act"

Insert: "chapter"

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman):

2/7/77

HB 494, do pass. Report adopted.

HB 548, do not pass.

HB 549, do not pass.

HB 557, do not pass.

SB 11, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman):

2/8/77

HB 216, do not pass.

HB 318, do pass. Report adopted.

HB 337, introduced bill, be amended as follows:

1. Amend page 5.

Following: line 2

Insert: "Section 2. Nonapplicability to existing license. This act does not affect any license transferred prior to July 1, 1977. A license transferred pursuant to the portion of 4-4-206 deleted by this act has the same status as a license of original issue in excess of quota on March 7, 1947."

And as amended, do pass. Report adopted.

FISH AND GAME (Staigmilller, Chairman):

2/8/77

SB 47, be concurred in. Report adopted.

Objection raised by O'Connell on 2/7/77 on adverse committee report on HJR 17. Referred to Second Reading.

Objection raised by Meloy on 2/8/77 on adverse committee report on HB 462. Referred to Second Reading.

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 442 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pistoria, Porter, Quilici, Robbins, Roth, Scully, Severson, Sivertsen, Smith, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 77

Noes: Bardanouve, Barrett, Colburn, Feda, J. Gunderson, Kenny, Kropp, Mular, Ramirez, Ryan, Seifert, Teague, Vinger, Wyrick.

Total 14

Excused: Kennerly.

Total 1

Absent or not voting: Brand, Gilligan, Harrington, Holmes, O'Keefe, Palmer, Shelden, South.

Total 8

### MESSAGES FROM THE GOVERNOR

February 8, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill No. 16.

Sincerely,

THOMAS L. JUDGE  
Governor

February 8, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill No. 20.

Sincerely,

THOMAS L. JUDGE  
Governor



**MESSAGES FROM THE OTHER HOUSE**

Resolution concurred in as amended and returned to the House  
for concurrence in Senate Amendments: 2/7/77

House Joint Resolution No. 13, introduced by Palmer, Huennekens,  
Kessler, et al

Resolution passed by the Senate and transmitted to the House  
for concurrence: 2/7/77

Senate Joint Resolution No. 11, introduced by Mathers, Himsl, Olson

Bills passed by the Senate and transmitted to the House  
for concurrence: 2/7/77

Senate Bill No. 155, introduced by Hazelbaker, et al

Senate Bill No. 178, introduced by R. Smith (by request)

Senate Bill No. 215, introduced by Turnage

Senate Bill No. 218, introduced by Lowe, Bergren (by request)

**MOTIONS**

Barrett moved that the House reconsider its action of the previous  
Legislative Day in failing to pass HJR 12 on Third Reading. Motion failed.

Gould moved that the House reconsider its action of the previous Legis-  
lative Day in failing to pass HB 601 on Second Reading. Motion failed.

Ellerd moved that Scully be allowed to change his vote from no to yes  
on HJR 12. Motion carried unanimously.

Vincent moved that HB 238 be passed for consideration until the 33rd  
Legislative Day. Motion carried.

Ellison moved that HB 299 be rereferred from Second Reading to the  
Committee on Fish and Game. Motion carried.

Meloy moved that the 2-day rule on introduction of bills be temporarily  
suspended for the purpose of introducing a bill as the co-sponsor was  
excused yesterday. Motion carried.

**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following bills were accepted for introduction on the 18th Legis-  
lative Day, read first time and referred to committees:

HB 721, introduced by the Committee on Judiciary; Scully, Chairman.  
Referred to the Committee on Judiciary.

HB 722, introduced by Hirsch, Estenson, Aageson, Lien, J. Gunderson,  
Manuel. Referred to Committee on Natural Resources.

HB 723, introduced by Harper. Referred to Committee on Appropria-  
tions.

HB 724, introduced by Lynch, (By Request). Referred to Committee on  
Public Health, Welfare and Safety.

HB 725, introduced by Brand, Mular, Keyser, Fabrega, Johnston,  
Kenny, Cooney, Lynch, Menahan, Hand, Ryan, Gilligan, Palmer,  
Burnett, Moore, O'Keefe, Severson, Quilici, Kanduch, Harrington,  
Courtney, Eudaily, Driscoll. Referred to Committee on Appropria-  
tions.

HB 726, introduced by Brand, Cooney. Referred to Committee on  
Appropriations.

HB 727, introduced by Vincent. Referred to Committee on Local Government.

HB 728, introduced by Vincent, Estenson. Referred to Committee on Taxation.

HB 729, introduced by Vincent. Referred to Committee on Business and Industry.

HB 730, introduced by Quilici, Lynch, Meloy, Harrington, Scully. Referred to Committee on Public Health, Welfare and Safety.

HB 731, introduced by Hirsch, Harper. Referred to Committee on Natural Resources.

HB 732, introduced by Harper. Referred to Committee on Natural Resources.

HB 733, introduced by Frates, Driscoll, Vincent. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 155, introduced by Hazelbaker, McOmber, Etchart, Dunkle. Referred to Committee on Taxation.

SB 178, introduced by R. Smith, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

SB 215, introduced by Turnage. Referred to Committee on Judiciary.

SB 218, introduced by Lowe, Bergren, (By Request of the Insurance Commissioner). Referred to Committee on Business and Industry.

SJR 11, introduced by Mathers, Himsl, Olson. Referred to Committee on Education.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 29 be passed for the day.

That the committee rise and report. (Ramirez, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Brand, Chairman):

2/8/77

HB 351, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 15.

Following: "school"

Insert: " , and no such school may be denied the privilege of participating in interscholastic competition with any school in this state because of the employment or association of such assistant athletic instructors with that school"

And as amended, do pass. Report adopted.

HB 392, introduced bill, be amended as follows:

1. Amend page 8, section 2, subsection (4), line 9.

Following: "half."

Insert: "The bids shall be in writing and be accompanied by a cur-

rent financial statement. Each quarter the financial institution will be allowed to bid on an amount not to exceed 3% of its total deposits with the total deposits from this fund not to exceed 25% at a bank, savings and loan, or building and loan total deposits. Any moneys not used in one category will be offered to the members of the other category. Moneys not used in either will be invested by the board in the normal manner and offered at the next letting."

2. Amend page 8, section 2, subsection (4), line 16.

Following: "men of"

Strike: "prudence"

Insert: "good faith"

And as amended, do pass. Report adopted.

HB 512, introduced bill, be amended as follows:

1. Amend title, page 1, lines 7 and 8.

Following: "records"

Strike: "; and amending section 44-523, R.C.M. 1947"

2. Amend page 3, section 3, subsection (5), line 1.

Following: "subsection"

Strike: "(1)"

Insert: "(2)"

3. Amend page 3, section 4, subsection (2), line 13.

Following: "official"

Insert: "not necessary to the continuing operation of that office and"

4. Amend pages 4, 5, 6, and 7, section 5.

Following: line 6 on page 4

Strike: section 5 in its entirety

And as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman):

2/7/77

HB 323, do pass. Report adopted.

HB 428, do pass. Report adopted.

HB 439, do not pass.

HB 440, do not pass.

HB 459, do pass. Report adopted.

Objection raised by Huennekens on 2/8/77 on adverse committee report on HB 475. Referred to Second Reading.

### MOTIONS

Dussault moved that HB 532 be rereferred from Second Reading to the Committee on Judiciary. Motion carried.

Meloy moved that the House adjourn until 12:00 noon, February 9, 1977.

Motion carried.

House adjourned at 3:00 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## THIRTY-THIRD LEGISLATIVE DAY

Helena, Montana  
February 9, 1977

House Chambers  
Capitol Building

House convened at 12:00 noon, Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Meyer, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (E. Gunderson, Vice-Chairman): 2/9/77

Correctly printed - HB 262, HB 302, HB 318, HB 323, HB 326, HB 412, HB 417, HB 428, HB 459, HB 462, HB 475, HB 494, HB 498, HB 506, HJR 17.

Correctly engrossed - HB 174, HB 204.

RULES (Meloy, Chairman): 2/9/77

Respectfully report that the amendment to permit the rolling of dice for drink and music is out of order insofar as Senate Bill No. 9 is a recodification bill and no substantive changes should be made to recodification bills.

Report adopted.

### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman): 2/9/77

Recommend that the following employees be reclassified retroactive to January 13, 1977:

Rae Haas .....From Researcher I to Researcher II,

At the beginning of business January 3, 1977, the following also be employed:

Michael Plake .....Security Guard

Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman): 2/8/77

HB 361, introduced bill, be amended as follows:

1. Amend page 1, section 1, lines 23 through line 1 on page 2.

Following: "first election."

Strike: lines 23 on page 1 through line 1 on page 2 in their entirety

Insert: "Approval by a majority of those voting in the decennial election on the question of undertaking a local government review is necessary to mandate the election of a local government study commission."

2. Amend page 2, section 1, line 2.

Following: "during"

Strike: "the general"

Insert: "any regularly scheduled"

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/8/77

HB 155, do pass. Report adopted.

## AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman):

2/9/77

HB 234, do pass. Report adopted.

HB 246, do pass. Report adopted.

HB 252, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 24.

Following: "shall"

Insert: ", subject to the other limitations of this chapter,"

2. Amend page 2, section 1, line 1.

Following: "landowner"

Insert: ", upon application of such owner"

3. Amend page 2, section 2, line 12.

Following: "value(;)"

Insert: ", which shall be established by the board"

4. Amend page 2, section 2, line 19.

Following: "but"

Insert: "except in the case of a bid received from a surrounding landowner under 81-907(2)"

(Material in parentheses denotes cancelled type.)

And as amended, do not pass.

## PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

2/9/77

HB 285, introduced bill, be amended as follows:

1. Amend page 5, section 2, line 10.

Following: "(reduce,)"

Strike: "eliminate,"

2. Amend page 5, section 2, line 11.

Following: "control"

Strike: ",

3. Amend page 5, section 2, line 15.

Following: "incinerators,"

Strike: "and"

Following: "chemical plants"

Insert: ", and any other facilities that the board shall by rule or order designate"

4. Amend page 6, section 2, line 11.

Following: line 10

Strike: "eliminate,"

Following: "control"

Strike: ",

5. Amend page 7, section 2, line 3.

Following: line 3

Insert: "Section 3. No effect on existing classifications. This act does not in any way modify, change, or affect the tax status of any equipment, machinery, or facilities granted class seven tax status as a pollution control facility prior to July 1, 1977."

(Material in parentheses denotes cancelled type.)

And as amended, do not pass.

HB 298, introduced bill, be amended as follows:

1. Amend page 3, section 3, subsection (3), line 22.

Following: "overhead."

Insert: "Consideration shall also be given to the addition to the fair market price of payments made by the facility producing the products or services to the nonprofit agency to assist in funding the activities of the nonprofit agency specified in (2)(a), (2)(b), and (2)(c) above."

2. Amend page 4, section 4, line 7.

Following: "act."

Insert: "After the determination has been made that a product or service is appropriate for facility use, that product or service shall be set aside exclusively for the state facilities as long as the product or service is needed by the state and the facility meets the specified quality standards and production quantity and scheduling deadlines."

And as amended, do pass. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/8/77

Senate Bill No. 34, introduced by Hazelbaker

Senate Bill No. 36, introduced by Devine

Senate Bill No. 104, introduced by Himsl, Lockrem, Turnage

Senate Bill No. 105, introduced by Rasmussen, et al

Senate Bill No. 144, introduced by Watt, Warden, Dover

Senate Bill No. 186, introduced by Lee (by request)

Senate Bill No. 268, introduced by Graham

Senate Bill No. 312, introduced by Graham

Senate Bill No. 358, introduced by Lee (by request)

Bills concurred in by the Senate and returned  
to the House:

2/8/77

House Bill No. 134, introduced by Conroy, Johnston, Sivertsen, et al

House Bill No. 135, introduced by Conroy, Ellerd, Davis, et al

### MOTIONS

Marks moved that HB 699 be rereferred from the Committee on Education to the Committee on Taxation. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 734, introduced by Burnett. Referred to Committee on Judiciary.

HB 735, introduced by Scully, Aageson, Fabrega, Ramirez, Lien.

Referred to Committee on Taxation.

HB 736, introduced by Menahan, (By Request of the Labor Standards

Division). Referred to Committee on Labor and Employment Relations.

HB 737, introduced by Huennekens, Vincent, Frates. Referred to Committee on Taxation.

HB 738, introduced by Meloy, Dussault. Referred to Committee on Judiciary.

HB 739, introduced by Brand, Cooney, Courtney, Hansen, Harrington, Kessler, Waldron, Dussault, Holmes, Fagg, Lory, Ellis, Palmer, Eudaily, Kanduch, Lynch. Referred to Committee on Judiciary.

HB 740, introduced by Vincent, Meloy, Huennekens, Shelden. Referred to Committee on Natural Resources.

HB 741, introduced by R. Baeth, Johnston, Palmer. Referred to Committee on State Administration.

HB 742, introduced by Williams, Gerke, J. Gunderson, Lund, Bertelsen, Day, Nathe, Sivertsen, Bardanouve, Lien, Halvorson. Referred to Committee on Judiciary.

HB 743, introduced by Ramirez, Holmes, Hand, Manuel, Metcalf, Harper, Fagg, Porter, Fabrega, Seifert. Referred to Committee on Taxation.

HJR 58, introduced by Curtiss, Turner, Sivertsen, Ellerd, Lien. Referred to Committee on State Administration.

HJR 59, introduced by Scully. Referred to Committee on Judiciary.

HJR 60, introduced by Bradley, Meloy. Referred to Committee on Highways and Transportation.

The following Senate bills were introduced, read first time and referred to committees:

SB 34, introduced by Hazelbaker. Referred to Committee on Judiciary.

SB 36, introduced by Devine. Referred to Committee on Business and Industry.

SB 104, introduced by Himsl, Turnage, Lockrem. Referred to Committee on State Administration.

SB 105, introduced by Rasmussen, Peterson, Himsl, E. Smith, Brown, Roberts, Bergren, R. Smith. Referred to Committee on Public Health, Welfare and Safety.

SB 144, introduced by Watt, Warden, Dover. Referred to Committee on Education.

SB 186, introduced by Lee, (By Request of the Department of Labor). Referred to Committee on Labor and Employment Relations.

SB 268, introduced by Graham. Referred to Committee on Natural Resources.

SB 312, introduced by Graham. Referred to Committee on Highways and Transportation.

SB 358, introduced by Committee on Labor and Employment Relations; Lee, Chairman, (By Request of the Division of Workers' Compensation). Referred to Committee on Labor and Employment Relations.

### **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:



That HJR 29 do pass. (49-35)

That HJR 46 do pass. (67-17)

That HB 444 do pass. (84-4)

That HB 238 be placed below HB 418.

That HB 182 do pass. (90-1)

That HB 267 do pass. (88-1) Lory abstained, conflict of interest.

That HB 317 do pass. (94-3)

That HB 325 do pass. (93-0)

That HB 357 do pass. (82-12)

That HB 418 be passed for the day.

That HB 238 be amended as follows:

1. Amend title, page 1, line 8.

Following: "water"

Strike: "and"

Insert: "or"

2. Amend title, page 1, line 10.

Following: "commission"

Insert: "; amending section 70-119, R.C.M. 1947"

3. Amend page 1, section 1, line 13.

Following: "water"

Strike: "and"

Insert: "or"

4. Amend page 1, section 1, line 14.

Following: "water"

Strike: "and"

Insert: "or"

5. Amend page 1, section 1, line 23 through line 10 on page 2.

Following: "(2)"

Strike: line 23 on page 1 through line 10 on page 2 in their entirety.

Insert: "Any person provided water or sewer service by a municipality may file a complaint with the public service commission as provided in 70-119."

6. Amend page 4, section 2, line 19.

Following: "water"

Strike: "and"

Insert: "or"

Following: "supply"

Strike: "and"

Insert: "or"

7. Amend page 4.

Following: line 22

Insert: "Section 3. Section 70-119, R.C.M. 1947, is amended to read as follows:

'70-119. Complaints against public utility or municipality — hearing. Upon a complaint made against any public utility or municipality providing water or sewer service by any mercantile, agricultural, or manufacturing society or club, or by any body politic or

municipal organization, or association or associations, the same being interested, or by any person or persons, firm or firms, corporation or corporations, provided such persons, firms, or corporations are directly affected thereby that any of the rates, tolls, charges, or schedule, or any joint rate or rates, are in any way unreasonable or unjustly discriminatory, or that any regulations, measurements, practices, or act whatsoever affecting or relating to the production, transmission, or delivery or furnishing of heat, light, water, or power, or any service in connection therewith, or the conveyance of any telegraph or telephone message, or any service in connection therewith, is in any respect unreasonable, insufficient, or unjustly discriminatory, or that any service is inadequate, the commission shall proceed, with or without notice, to make such investigation as it may deem necessary. But no order affecting such rates, tolls, charges, schedules, regulations, measurements, practice or act complained of, shall be entered without a formal hearing, except the commission may issue an order to provide service to a residential consumer pending a hearing on a complaint by such consumer or by the consumer counsel on behalf of such consumer against a public utility or municipality, providing that the hearing is held within twenty (20) days unless further delayed by consent of all parties.

The commission shall give the public utility or the municipality and the complainant or complainants at least ten days' notice of the time when and the place where such hearing will be held, at which hearing both the complainant and the public utility or municipality shall have the right to appear by counsel or otherwise, and be fully heard. Either party shall be entitled to an order by the commission for the appearance of witnesses or the production of books, papers, and documents containing material testimony. Witnesses appearing upon the order of the commission shall be entitled to the same fees and mileage as witnesses in civil cases in the courts of the state, and the same shall be paid out of the state treasury in the same manner as other claims against the state are paid; but no fees or mileage shall be allowed, unless the chairman of the commission shall certify to the correctness of the claim.” (92-0)

And as amended, do pass. (94-0)

That HB 456 do pass. (89-3)

That HB 476 do pass. (90-2)

That HB 481 do pass. (90-2)

That HB 484 be passed for the day.

That HB 488 do pass. (95-0)

That HB 489 do pass. (72-22)

That HB 493 do pass. (96-0)

That HB 508 do pass. (83-11)

That HB 514 do pass. (95-0)

That HB 522 be placed below HJR 32.

That HB 533 do pass. (88-5)

That HB 540 do pass. (90-4)

That HJR 1 be passed to the 39th Legislative Day.

That HJR 32 do pass. (96-0)

That HB 522 be amended as follows:

1. Amend title, line 7.

Following: "1947"

Insert: "; amending section 23-4901, R.C.M. 1947; and repealing the expiration provision" (89-1)

And be further amended:

2. Amend page 1, section 1, line 20.

Following: "as 'The'"

Strike: "Gubernatorial"

Insert: "Permanent" (62-27)

And as amended, do pass. (60-37)

That HJR 34 do pass. (66-31)

That HJR 36 do pass. (86-0)

That SB 70 and SB 78 be passed to the bottom of the board.

That HB 305 do pass. (71-14)

That HB 311 do pass. (75-16)

That HB 443 do pass. (58-37)

That HB 477 do pass. (89-1)

That HB 485 do pass. (92-2)

That the committee rise and report. (Ramirez, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

Objection raised by Harper on 2/9/77 on adverse committee report on HB 285. Referred to Second Reading.

Objection raised by Mular on 2/9/77 on adverse committee report on HB 440. Referred to Second Reading.

On motion by Robbins, and in accordance with the 24-hour rule, the adverse committee report on HB 439 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Conroy, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Stobie, Tower, Turner, Underdal, Vinger, Williams, Wood, Mr. Speaker.  
Total 71

Noes: Barrett, Bradley, Brand, Cooney, Courtney, Ellis, Ernst, Gilligan, Harrington, Huennekens, Meloy, Metcalf, Moore, Mular, O'Keefe, Ryan, Sivertsen, Teague, Tropila, Uhde, Vincent, Waldron, Wyrick.  
Total 23

Excused: Meyer.

Total 1

Absent or not voting: Colburn, Davis, Hirsch, Lien, Scully.

Total 5

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 216 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bertelsen, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kropp, Kvaalen, Lund, Lynch, McLane, Manuel, Marks, Menahan, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 72

Noes: R. Baeth, Bengtson, Bradley, Courtney, Davis, Dussault, Ellerd, E. Gunderson, Harper, Holmes, Huennekens, Kessler, Kimble, Lory, Meloy, Metcalf, Moore, South, Tower, Vincent, Waldron.

Total 21

Excused: Meyer.

Total 1

Absent or not voting: Colburn, Hirsch, Keyser, Lien, Roth, Scully.

Total 6

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 548 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Fagg, Feda, Frates, Gerke, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Tower, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: Aageson, Barrett, Courtney, Curtiss, Eudaily, Fabrega, Gilligan, E. Gunderson, J. Gunderson, Kessler, Manuel, Moore, O'Keefe, Stobie, Teague, Tropila, Underdal.

Total 17

Excused: Meyer.

Total 1

Absent or not voting: Colburn, Davis, Hirsch, Jensen, Lien, Robbins, Scully, Severson.

Total 8

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 549 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd,



Ellis, Ellison, Estenson, Fagg, Fedá, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Hurwitz, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lory, Lund, Lynch, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Severson, Shelden, Sivertsen, South, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.  
Total 69

Noes: Aageson, Barrett, Burnett, Curtiss, Ernst, Eudaily, Fabrega, Gilligan, Harper, Huennekens, Johnston, Kropp, McLane, Manuel, Marks, Meloy, Moore, O'Keefe, Roth, Seifert, Smith, Staigmilller, Teague, Waldron, Wyrick.  
Total 25

Excused: Meyer.  
Total 1

Absent or not voting: Colburn, Conroy, Jensen, Lien, Scully.  
Total 5

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 557 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bertelsen, Bradley, Burnett, Curtiss, Dassinger, Day, Ellerd, Ellis, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gould, Halvorson, Hansen, Hirsch, Holmes, Hurwitz, Kanduch, Kennerly, Kenny, Kessler, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Meloy, Menahan, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Shelden, Sivertsen, Smith, South, Stobie, Tower, Turner, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 59

Noes: Bengtson, Brand, Cooney, Courtney, Cox, Dussault, Ellison, Ernst, Estenson, Gilligan, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Huennekens, Johnston, Keyser, Kimble, Lynch, Manuel, Metcalf, Mular, O'Connell, Ryan, Scully, Severson, Staigmilller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron.  
Total 34

Excused: Meyer.  
Total 1

Absent or not voting: Bardanouve, Colburn, Conroy, Davis, Jensen, Lien.  
Total 6

### MOTIONS

Meloy moved that the House reconsider its action taken this Legislative Day in passing HB 493 on Second Reading. Motion carried.

Marks moved that HB 657 be rereferred from the Committee on Appropriations to the Committee on Fish and Game. Motion carried.

Uhde moved that HB 128 be rereferred from the Committee on Appropriations to the Committee on Local Government. Motion carried.

Dussault moved that HB 342 be rereferred from the Committee on Appropriations to the Committee on Agriculture, Livestock and Irrigation. Motion carried.

Marks moved that HB 522 be rereferred from Engrossing to the Committee on Rules. Motion carried.

Meloy moved that HB 533 be rereferred from Engrossing to the Committee on Judiciary. Motion carried.

Meloy moved that SB 9 be rereferred from the Committee on Rules to Second Reading. Motion carried.

Meloy moved that the following bills be rereferred from Engrossing to the Committee on Appropriations: HJR 46, HB 267, HB 311, HB 357. Motion carried.

Meloy moved that HJR 4 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

Brand moved that HB 117 be rereferred from the Committee on Judiciary to Engrossing. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 69 was passed by the following vote:

Ayes: W. Baeth, Barrett, Bertelsen, Bradley, Burnett, Cooney, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Harper, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lory, Manuel, Meloy, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Scully, Shelden, South, Staigmillier, Teague, Tropila, Vincent, Waldron, Wood, Mr. Speaker.

Total 51

Noes: Aageson, R. Baeth, Bardanouve, Bengtson, Brand, Colburn, Conroy, Courtney, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Feda, Gerke, Hand, Hansen, Harrington, Hurwitz, Jensen, Johnston, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Marks, Menahan, Mular, Nathe, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, Stobie, Tower, Uhde, Underdal, Vinger, Williams, Wyrick.

Total 46

Paired: Meyer, Aye; Lynch, No.

Excused: None.

Total 0

Absent or not voting: Cox, Halvorson, Turner.

Total 3

House Bill No. 119 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 83

Noes: Burnett, Ellison, Fedá, Hurwitz, Jensen, Keyser, Kvaalen, Moore, Seifert, Smith, Tower, Turner, Underdal, Vinger, Wyrick.

Total 15

Excused: Meyer.

Total 1

Absent or not voting: Cox.

Total 1

House Bill No. 124 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Colburn, Ellison, Moore, Stobie, Vinger.

Total 5

Excused: Meyer.

Total 1

Absent or not voting: Cox.

Total 1

House Bill No. 125 was passed by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 82

Noes: W. Baeth, Brand, Burnett, Dassinger, Hansen, Hirsch, Lund, McLane, Nathe, Porter, Ramirez, Shelden, Smith, Wyrick.

Total 14

Excused: Meyer.

Total 1

Absent or not voting: Cox, Ellison, Ernst.

Total 3

House Bill No. 131 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney,



Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Smith.

Total 1

Excused: Meyer.

Total 1

Absent or not voting: Cox, Hurwitz.

Total 2

On motion by Bardanouve, consideration of HB 217 was passed for the day.

House Bill No. 304 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Burnett.

Total 1

Excused: Meyer.

Total 1

Absent or not voting: Severson.

Total 1

House Bill No. 309 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson,



Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: Brand.

Total 1

Excused: Meyer.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 314 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Meyer.

Total 1

Absent or not voting: Harrington, Severson.

Total 2

House Bill No. 330 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Meyer.

Total 1

Absent or not voting: Ellison, Harrington, Kimble.

Total 3

House Bill No. 347 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Meyer.

Total 1

Absent or not voting: Estenson, Harrington, O'Keefe.

Total 3

House Bill No. 364 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Meyer.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 379 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter,

Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 88

Noes: Bardanouve, Brand, Ernst, Huennekens, Kessler, Keyser, Nathe, Smith, Stobie, Vinger.  
Total 10

Excused: Meyer.  
Total 1

Absent or not voting: Scully.  
Total 1

House Bill No. 404 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 96

Noes: Seifert, Stobie, Uhde.  
Total 3

Excused: Meyer.  
Total 1

Absent or not voting: None.  
Total 0

House Bill No. 406 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, Marks, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 78

Noes: Aageson, Burnett, Cox, Curtiss, Ellison, Feda, Hirsch, Kropp, Lund, McLane, Manuel, Moore, Nathe, Roth, Scully, Smith, South, Staigmiller, Stobie, Underdal, Vinger.  
Total 21

Excused: Meyer.  
Total 1



Absent or not voting: None.

Total 0

House Bill No. 409 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Burnett, Cox, Davis, Ellerd, Ellison, Moore.

Total 6

Excused: Meyer.

Total 1

Absent or not voting: Nathe.

Total 1

House Bill No. 422 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Meyer.

Total 1

Absent or not voting: Seifert.

Total 1

House Bill No. 448 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf,



Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, South, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 81

Noes: Brand, Ellison, Estenson, Hand, Hansen, Johnston, Kenny, McLane, Marks, Moore, Porter, Ramirez, Ryan, Smith, Staigmilller, Uhde.

Total 16

Excused: Meyer.

Total 1

Absent or not voting: Scully, Mr. Speaker.

Total 2

House Bill No. 468 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Kenny, Moore, Seifert.

Total 3

Excused: Meyer.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 483 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Meyer.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 551 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Meyer.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 586 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Severson, Sheldon, Staigmiller, Teague, Tower, Tropila, Turner, Underdal, Vincent, Waldron, Williams, Wood, Wyrick.

Total 81

Noes: Brand, Cox, J. Gunderson, Hirsch, Jensen, Kennerly, Kenny, Moore, Ryan, Scully, Seifert, South, Stobie, Uhde, Vinger, Mr. Speaker.

Total 16

Excused: Meyer.

Total 1

Absent or not voting: Sivertsen, Smith.

Total 2

Senate Bill No. 35 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen,

Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Brand, Cooney, Estenson, E. Gunderson, J. Gunderson, Holmes.

Total 6

Excused: Meyer.

Total 1

Absent or not voting: Huennekens, Scully.

Total 2

Scully moved to appeal the rule of the Chair regarding the propriety of Bardanouve's motion to pass consideration for the day of HB 217 and that the ruling be referred to the Committee on Rules. Motion carried.

House at ease.

House resumed at 4:20 p.m.

Meloy reported that the Rules Committee decided that the motion to pass consideration made on Third Reading was in order and the reason for the Rules Committee decision was basically that the motion to pass consideration is a motion to rearrange the calendar and Mason's Rules permit rearranging the calendar at any time. The Rules Committee will propose a new rule regarding specific motions that may be made on Third Reading.

### MOTIONS

Huennekens moved that HB 398 be rereferred from the Committee on Natural Resources to the Committee on Taxation. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., February 10, 1977.

Motion carried.

House adjourned at 4:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana  
February 10, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Correctly printed - HB 113, HB 155, HB 246, HB 263, HB 324,  
HB 351, HB 518. 2/9/77

Considered correctly engrossed - HB 117, HB 182, HB 261, HB 267,  
HB 305, HB 311, HB 317, HB 357, HB 443, HB 444, HB 456,  
HB 476, HB 477, HB 481, HB 485, HB 488, HB 489, HB 508,  
HB 514, HB 540, HJR 29, HJR 32, HJR 34, HJR 46. 2/10/77

Correctly engrossed - HB 340. 2/10/77

Correctly printed - HB 234, HB 337, HB 392, HB 410, HB 440,  
HB 512, HB 584. 2/10/77

#### RULES (Meloy, Chairman): 2/10/77

Respectfully report that the amendment to House Bill 522 goes beyond the scope of the title and is therefore out of order.

Report adopted.

#### JUDICIARY (Scully, Chairman): 2/9/77

HB 320, second reading, be amended as follows:

1. Amend title, line 7.

Following: "to"

Strike: "require"

Insert: "permit"

2. Amend title, lines 9 and 10.

Following: "injury,"

Strike: "to abolish the last clear chance doctrine,"

3. Amend title, line 12.

Following: "negligence,"

Strike: "to define 'negligence',"

4. Amend page 1, section 1, line 21.

Following: "verdict"

Insert: ",

Following: "or"

Strike: ",

Following: "in"

Strike: "the absence of a jury"

Insert: "a non-jury trial"

5. Amend page 1, section 1, line 22.

Following: "fact"

Insert: “,”

6. Amend page 2, section 2, line 8.

Following: “injury”

Strike: “shall”

Insert: “may”

7. Amend page 2, section 3, line 10.

Following: line 9

Strike: section 3 in its entirety

Re-number: all subsequent sections

8. Amend page 3, section 5, line 4.

Following: line 3

Strike: section 5 in its entirety

Re-number: subsequent section

And as amended, do pass. Report adopted.

HB 382, do not pass.

HB 408, do pass. Report adopted.

HB 567, do not pass.

HB 585, do pass. Report adopted.

HB 589, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: “courts”

Strike: “exclusive”

Insert: “concurrent”

Following: “jurisdiction”

Strike: “over”

2. Amend title, lines 6 and 7.

Following: line 5

Strike: lines 6 and 7 in their entirety

3. Amend title, line 8.

Following: line 7.

Strike: “jurisdiction”

Following: “over”

Strike: “multiple”

4. Amend page 1, section 1, subsection (2), line 23.

Following: “(concurrent)”

Strike: “exclusive”

Insert: “concurrent”

Following: “jurisdiction”

Insert: “with the youth court”

5. Amend page 2, section 1, subsection (3), lines 10 through 13.

Following: line 9

Strike: subsection (3) in its entirety

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 590, do pass. Report adopted.

HB 607, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (2), line 18.

Following: “the”

Strike: “person”

Insert: “highway patrolman or other authorized agent”

2. Amend page 1, section 1, subsection (2), line 20.

Following: line 19

Strike: "insufficient funds"

Insert: "non payment"

And as amended, do pass. Report adopted.

HB 633, do pass. Report adopted.

HB 634, introduced bill, be amended as follows:

1. Amend page 9, section 3, line 20.

Following: "counties"

Strike: "at the primary election to be held June 6, 1978"

2. Amend page 9, section 3, line 22.

Following: line 21

Strike: "each"

Insert: "the"

3. Amend page 9, section 3, line 23.

Following: "effective"

Strike: "July 1, 1978"

Insert: "upon approval"

4. Amend page 9, section 3, line 23.

Following: line 23

Insert: "Section 4. Effective date. This act is effective on its passage and approval."

And as amended, do pass. Report adopted.

HB 642, do not pass.

HB 721, do pass. Report adopted.

EDUCATION (Dussault, Chairman):

2/10/77

HB 391, do not pass.

HB 541, do pass. Report adopted.

HB 545, do not pass.

HB 546, do pass. Report adopted.

HJR 37, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

2/9/77

HB 141, introduced bill, be amended as follows:

1. Amend page 5, section 8, lines 12 and 13.

Following: line 11

Strike: "Section (7)8. Effective date. This act shall become effective (July) January 1, 1977."

Renumber subsequent section.

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 576, do not pass.

FISH AND GAME (Staigmilller, Chairman):

2/10/77

HB 510, do not pass.

HB 568, do not pass.

HB 621, do not pass.

STATE ADMINISTRATION (Brand, Chairman):

2/10/77

HB 435, do not pass.

LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman): 2/10/77  
HB 579, introduced copy, be amended as follows:

1. Amend section 1, line 16.

Following: "less than"

Strike: "\$500 or"

Insert: "\$50 nor"

2. Amend section 1, line 17.

Following: line 16

Strike: "\$1,000"

Insert: "\$500"

And as amended, do pass. Report adopted.

HB 580, do pass. Report adopted.

Objection raised by Vincent on 2/10/77 on adverse committee report on HB 435. Referred to Second Reading.

On motion by Day, and in accordance with the 24-hour rule, the adverse committee report on HB 252 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Cox, Curtiss, Ellison, Ernst, Fagg, J. Gunderson, Hand.

Total 7

Excused: None.

Total 0

Absent or not voting: Bradley, Kennerly, Manuel, Shelden.

Total 4

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/9/77

Senate Bill No. 124, introduced by Graham

Senate Bill No. 157, introduced by Thomas, Lee

Bills concurred in by the Senate and returned  
to the House:

2/9/77

House Bill No. 38, introduced by Bardanouve

House Bill No. 44, introduced by Bardanouve

Bill concurred in as amended by the Senate and returned  
to the House for concurrence in Senate Amendments:

2/9/77

House Bill No. 136, introduced by Conroy, Ellerd, Davis, et al



## MOTIONS

Ellison moved the rules be temporarily suspended for the purpose of introducing a bill regarding cemetery corporations. Motion carried.

Dussault moved that HB 475 be rereferred from Second Reading to the Committee on Judiciary. Motion carried.

Kvaalen moved that HB 305 be rereferred from Engrossing to the Committee on Appropriations. Motion failed.

Vincent moved that HB 497 be rereferred from the Committee on Business and Industry to the Committee on Judiciary. Motion carried.

## FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 744, introduced by Barrett. Referred to Committee on Education.

HB 745, introduced by Gerke. Referred to Committee on Local Government.

HB 746, introduced by E. Gunderson, Dussault, Moore, Marks, Fabrega, Porter. Referred to Committee on Education.

HB 747, introduced by Fagg. Referred to Committee on Business and Industry.

HB 748, introduced by Fagg. Referred to Committee on Business and Industry.

HB 749, introduced by E. Gunderson, Waldron, Fagg, Fabrega. Referred to Committee on Judiciary.

HB 750, introduced by Vincent, Meloy. Referred to Committee on Business and Industry.

HB 751, introduced by Waldron. Referred to Committee on Judiciary.

HB 752, introduced by Huennekens, Frates, Harrington, Fagg. Referred to Committee on Fish and Game.

HB 753, introduced by Bradley, Meloy, Kimble. Referred to Committee on Natural Resources.

HB 754, introduced by Meloy. Referred to Committee on Natural Resources.

HB 755, introduced by Conroy, Day, Lien. Referred to Committee on Taxation.

HJR 61, introduced by Mular, Quilici, Lynch, Scully, Cooney, Dussault, Smith, Menahan, Courtney, Harrington. Referred to Committee on Highways and Transportation.

HJR 62, introduced by Holmes, Menahan, Dussault. Referred to Committee on Public Health, Welfare and Safety.

HJR 63, introduced by Holmes, Ramirez, Fagg, Keyser, Palmer, Vincent, Porter, Lory, Seifert, Dussault, South, Scully, Hirsch, Courtney, Huennekens, Metcalf, Ryan, Sheldon, Driscoll, Kimble, Harper, Jensen, Nathe, Ellerd, Bertelsen, Hand, Colburn, Harrington, Lien, Waldron, Halvorson. Referred to Committee on Judiciary.

The following Senate bills were introduced, read first time and referred to committees:

SB 124, introduced by Graham, (By Request of the Department of Agriculture). Referred to Committee on Agriculture, Livestock and Irrigation.

SB 157, introduced by Thomas, Lee. Referred to Committee on Public Health, Welfare and Safety.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 217 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gould, Halvorson, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kennerly, Keyser, Kropp, Kvaalen, Lien, Lund, McLane, Marks, Meloy, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Smith, South, Staigmiller, Stobie, Tower, Turner, Underdal, Vincent, Vinger, Wood, Wyrick.

Total 60

Noes: Bengtson, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Johnston, Kanduch, Kenny, Kessler, Kimble, Lory, Lynch, Manuel, Menahan, Metcalf, Mular, O'Connell, Pistoria, Quilici, Ryan, Shelden, Sivertsen, Teague, Tropila, Uhde, Waldron, Williams, Mr. Speaker.

Total 39

Excused: None.

Total 0

Absent or not voting: Palmer.

Total 1

House Bill No. 174 was passed by the following vote:

Ayes: Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, J. Gunderson, Halvorson, Hand, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Quilici, Roth, Scully, Shelden, Staigmiller, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 63

Noes: Ageson, R. Baeth, W. Baeth, Barrett, Colburn, Conroy, Dassinger, Davis, Ellison, Feda, Gilligan, Gould, E. Gunderson, Hansen, Hirsch, Johnston, Kenny, Keyser, Kropp, McLane, Nathe, Pistoria, Porter, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Stobie, Teague, Tower, Tropila, Turner, Vinger.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 204 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Estenson, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lund, Lynch, Manuel, Meloy, Metcalf, Mular,

Nathe, O'Connell, Palmer, Quilici, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 50

Noes: Ageson, Barrett, Bertelsen, Brand, Burnett, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedas, Gerke, Hurwitz, Jensen, Keyser, Kropp, Kvaalen, Lory, McLane, Marks, Menahan, Meyer, Moore, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 48

Excused: None.

Total 0

Absent or not voting: Halvorson, Lien.

Total 2

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Kimble in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 418 be placed below HB 417.

That HB 484 do pass. (92-3)

That HB 492 do pass. (98-0)

That HB 493 be amended as follows:

1. Amend page 2.

Following: line 18

Strike: section 2 in its entirety

Insert: sections 2 through 11 as follows:

"Section 2. Section 81-2504, R.C.M. 1947, is amended to read as follows:

'81-2504. Registration of sites and objects on state land — protection. The board is authorized on the recommendation of the (department and) society to designate for registration by the department sites and objects situated on land under the control of the state of Montana. The board may withdraw or reserve, at any time, sufficient state land administered by the board as may be necessary for the proper care and management of such sites and objects. No state land may be sold nor any development shall be allowed which will disturb the registered site or registered object unless it is protected or excavated in accordance with this act. The use of state land for the care and management of such sites and objects is hereby declared by the legislature to be a worthy object of the trust as specified in section 81-103. The board is authorized to take adequate steps to protect such sites and objects.'

Section 3. Section 81-2505, R.C.M. 1947, is amended to read as follows:



'81-2505. Permit to excavate, remove or restore registered site or object. No person may excavate, remove or restore any registered site or registered object without first obtaining a permit from the (department) society. Said permits are to be granted only after careful consideration of the application for a permit, and be subject to the strict compliance with the following guidelines:

(a) Permits may be granted only for work to be undertaken by reputable museums, universities, colleges, or other historical, scientific or educational institutions, societies or persons with a view toward dissemination of knowledge about cultural properties, provided no such permit shall be granted unless the (department) society is satisfied that the applicant or applicants possess the necessary qualifications to guarantee the proper excavation of those sites and objects which may add substantially to man's knowledge about Montana and its antiquities.

(b) The permit must specify that a summary report of such investigations, containing relevant maps, documents, drawings and photographs be submitted to the (department) society which shall in turn submit the report to an appropriate repository. The (department) society shall determine the appropriate time period allowable between all work undertaken, and submission of the summary report.

(c) Permits will be preferentially granted to resident persons unless in the event that a state person is unavailable, unqualified, or uninterested in the work proposed for investigation. In the event that a permit is granted to a nonstate person, there must be provision that removed objects may not leave or must revert to the state of Montana, provided that all specimens so collected shall be and remain the property of the state of Montana, and provided further that the (department and the) society may give permission for the loan of such materials for scientific or educational purposes.'

Section 4. Section 81-2506, R.C.M. 1947, is amended to read as follows:

'81-2506. Distribution of collection — loans only. The (department and the) society shall supervise the distribution of all collections made under the provisions of this act and shall distribute material from such collections on loan only.'

Section 5. Section 81-2507, R.C.M. 1947, is amended to read as follows:

'81-2507. State historical register. The (department) society is authorized and directed to compile and keep a register of all registered sites and registered objects. This register shall be known as the state historical register.'

Section 6. Section 81-2508, R.C.M. 1947, is amended to read as follows:

'81-2508. Cooperative agreements with private owners. The (department) society is authorized to enter into cooperative agreements with private landowners or the owners of objects to preserve, mark, maintain, excavate, or otherwise deal with such sites and objects upon such terms as may be agreed upon by the (department) society and such private owners. The cooperative agreements may contain a clause that the sites and objects shall be registered under



this act, and also a provision that the state of Montana shall hold the owner harmless for any liability that may occur while the property is under the control of the state of Montana.'

Section 7. Section 81-2509, R.C.M. 1947, is amended to read as follows:

'81-2509. Cooperation with governmental units. The (department) society is authorized and directed to cooperate with all federal, state and local government agencies, in the identification, acquisition, restoration, enhancement, preservation and administration of all such sites and objects for the use and enjoyment of the people, and for the purpose of exhibition and interpretation of the history and culture of the state of Montana.'

Section 8. Section 81-2510, R.C.M. 1947, is amended to read as follows:

'81-2510. Injunction to prevent waste, destruction and removal — protection program. The (department) society is authorized and directed to apply to any district court of the state of Montana for a writ of injunction to prevent the waste, removal and destruction of any such registered site or registered object. The (department) society shall not be required to give any bond in such application. Upon hearing of the petition for injunction, the court may restrain waste, removal or destruction upon said site, or of such object for a period of one (1) year. The court may also provide in its order that during such period the (department) society shall present to the parties involved a program for the protection, preservation, restoration and maintenance of the registered site or registered objects.'

Section 9. Section 81-2511, R.C.M. 1947, is amended to read as follows:

'81-2511. Violation as misdemeanor — penalty. Any person who shall willfully injure, remove or damage any registered site or object thereon without obtaining a permit or shall violate any of the regulations made by the (department) society relating to state parks, historical, paleontological or prehistorical sites, buildings, structures, monuments or objects, shall be guilty of a misdemeanor and shall upon conviction be fined not more than one thousand dollars (\$1,000), or be imprisoned in the county jail for not more than six (6) months, or both such fine and imprisonment.'

Section 10. Section 81-2512, R.C.M. 1947, is amended to read as follows:

'81-2512. Report of discovered sites or objects — preservation. Any person conducting any activities, including survey, excavation or construction who discovers on any lands owned, leased or controlled by this state or any agency thereof, any object or objects as defined in this act, shall promptly report to the (department) society the existence of any such site or object discovered in the course of such survey, excavation or construction, and shall take all reasonable steps to secure its preservation.'

Section 11. Section 81-2513, R.C.M. 1947, is amended to read as follows:

'81-2513. Advisory council. The governor may appoint an advisory council from properly qualified persons in the fields of anthropol-

ogy, archaeology, paleontology, and history and other related disciplines to advise and consult with the (department) society and the board relating to all matters of Montana's antiquities."

Renumber: subsequent section. (87-1)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (92-2)

That HB 499 be amended as follows:

1. Amend page 3, section 1, line 1.

Strike: "\$50, which is the fee for the entire proceeding through judgment"

Insert: "\$35" (55-39)

And as amended, do pass. (54-40)

That HB 500 do pass. (91-0)

That HB 513 do pass. (78-16)

That HB 519 do not pass. (49-46)

That the committee rise and report. (Kimble, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Brand, Chairman):

2/10/77

HB 562, do not pass.

HB 620, do pass. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman):

2/10/77

HB 196, introduced bill, be amended as follows:

1. Amend title, line 4.

Following: "to"

Strike: "abolish"

Insert: "create certain exemptions to"

2. Amend title, line 6.

Following: "section"

Strike: "66-2404; repealing section"

3. Amend the bill, pages 1 through 2.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Section 66-2427, R.C.M. 1947, is amended to read as follows:

'66-2427. Permit fee — payment — penalties. (1) It is unlawful for any person to engage in the business, trade, or work having to do with the installation, removal, alteration, or repair of plumbing and drainage systems or parts thereof without first obtaining a permit from the board of plumbers.

A separate permit shall be obtained for each building or structure.

No person may allow any other person to do or cause to be done any work under a permit secured by the permittee except persons in his employ.

(2) No permit is required for any minor replacement or repair work, the performance of which does not have a significant potential for creating a condition hazardous to public health and safety. No permit is required where the installation is exempt under the

provisions of section 66-2426 or 66-2401. No permit is required whenever the installation occurs in an area governed by a municipality and where there is in effect a municipal building code which covers plumbing installations and which provides inspection procedures. No permit is required whenever the installation occurs within a county where the county governing body has hired local inspectors to enforce the state plumbing code. Nothing contained in this act shall prohibit the owner of residential property from making an installation for all sanitary plumbing and potable water supply piping without a permit providing he does the work himself. The provisions of this act do not apply to regularly employed maintenance personnel doing maintenance work on the business premises of their employer unless work is subject to the permit provisions of this act.

(3) Persons required by this section to apply for a permit shall make application on forms provided by the board or authorized representative. He shall give a description of the character of the work proposed to be done, and the location, ownership, occupancy and use of the premises in connection therewith. The board of plumbers or its authorized representative may require sketches, specifications or drawings and such other information it deems necessary in order to determine the scope of the work contemplated.

If the board determines that the sketches, specifications, drawings, descriptions and information furnished by the applicant are in compliance with the state plumbing code, it shall issue the permit applied for upon payment of the required fee as established by the board.

(4) Any person who commences any work for which a permit is required without first obtaining a permit shall, if subsequently permitted to obtain a permit, pay double the permit fee for the work, except that this provision does not apply to emergency work when it is proved to the satisfaction of the board of plumbers or its authorized representative that the work was urgently necessary and that it was not practical to obtain a permit before the commencement of the work. In all such cases, a permit shall be obtained as soon as it is practical to do so, and if there is unreasonable delay in applying for the permit, a double fee shall be charged.

For the purpose of this section, a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees for reconnection and retest of plumbing systems in relocated buildings shall be based on the number of plumbing fixtures, gas systems, water heaters, and the like involved.

When a permit has been obtained to connect an existing building or existing work to the public sewer or to connect to a new private disposal facility, backfilling of private sewage disposal facilities abandoned consequent to the connection is included in the permit.

The board of plumbers shall establish permit fees in accordance with the Montana Administrative Procedure Act and the fees shall be deposited to the earmarked revenue fund of the board of plumbers for use in the administration and enforcement of this act and the Montana state plumbing code.

(5) All plumbing and drainage systems may be inspected by the board of plumbers or their authorized representative to ensure compliance with the requirements of the state plumbing code.



(6) It is the duty of the person doing work authorized by the permit to notify the board orally or in writing, that the work is ready for inspection. The notification shall be given not less than (twenty four (24)) hours before the work is to be inspected.

It is the duty of the person doing the work authorized by the permit to ensure that the work performed before notification and after notification pending inspection complies with the state plumbing code.

(7) Whenever any work is being done contrary to the provisions of the state plumbing code, the board or its authorized representative may, after a hearing conducted under the provisions of the Montana Administrative Procedure Act, order work stopped by notice in writing served on any person engaged in the work.

(8) The board may suspend or revoke a permit, whenever it is issued in error or on the basis of incorrect information supplied, or work performed thereunder is in violation of any of the provisions of Title 66, chapter 24, R.C.M. 1947.'

Section 2. Effective date. This act is effective on its passage and approval."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

Objection raised by Huennekens on 2/10/77 on adverse committee report on HB 567. Referred to Second Reading.

Meloy moved that the House adjourn until 1:00 p.m., February 11, 1977.

Motion carried.

House adjourned at 3:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## THIRTY-FIFTH LEGISLATIVE DAY

Helena, Montana  
February 11, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Monida Vaughn, Pastor of the Little Church. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 2/11/77

Correctly printed - HB 285, HB 292, HB 361, HB 408, HB 435, HB 541, HB 546, HB 567, HB 580, HB 585, HB 590, HB 620, HB 633, HB 721, HJR 37.

Considered correctly engrossed - HB 325, HB 484, HB 492, HB 500, HB 513.

Correctly engrossed - HB 238.

Correctly enrolled - HB 134, HB 135.

Examined by sponsor and found to be correct - HB 134, HB 135.

Will be signed by the Speaker on adjournment, 2/11/77 - HB 134, HB 135.

Objection raised by Ellis on 2/10/77 on adverse committee report on HB 510. Referred to Second Reading.

### AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman):

2/11/77

HB 253, introduced bill be amended as follows:

1. Amend page 3, section 2, line 8.

Following: "products;"

Strike: "may not be less than (ten dollars (\$10))"

Insert: "may not exceed \$20"

2. Amend page 6, section 5, line 4.

Following: "The"

Strike: "minimum"

3. Amend page 6, section 5, line 5.

Following: "license"

Strike: "is"

Insert: "may not exceed"

4. Amend page 8, section 6, line 17.

Following: "the"

Strike: "minimum"

Insert: "maximum"

5. Amend page 8, section 6, line 19.

Following: "(((\$50))"

Insert: "is"

(Material in parentheses denotes cancelled type.)

And as amended, do not pass.

TAXATION (Huennekens, Chairman):

2/10/77

HB 50, introduced bill, be amended as follows:

1. Amend title, line 1.

Following: "entitled: 'an act'"

Strike: "providing for"

Insert: "suspending"

2. Amend title, line 5.

Following: line 4

Strike: "suspension of implementation and"

3. Amend title, line 7.

Following: "1975"

Strike: ", until June 30, 1979"

4. Amend page 1, section 1, line 23.

Following: "mandatory,"

Insert: "and other laws relating to property taxation contained in Title 84,"

5. Amend page 1, section 1, line 24.

Following: "the"

Strike: "46th"

Insert: "45th"

Following: "legislature"

Strike: "in 1979"

Following: "to"

Strike: "implementation"

Insert: "utilization"

6. Amend page 2, section 2, line 1.

Following: "Section 2."

Strike: "Implementation and utilization"

Insert: "Utilization"

7. Amend page 2, section 2, line 2.

Following: line 1

Strike: "Implementation and utilization"

Insert: "Utilization"

8. Amend page 2, section 2, line 5.

Following: "until"

Strike: "June 30, 1979"

Insert: "reviewed and acted upon by the 45th legislature. The review shall be completed prior to December 31, 1977, and legislative action taken by that date"

And as amended, do pass. Report adopted.

HB 269, do not pass.

HB 362, do not pass.

HB 531, do pass. Report adopted.

HB 591, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 10.

Following: "at"

Strike: "their net invoice"

Insert: "the"

And as amended, do pass. Report adopted.

HB 595, do pass. Report adopted.

HB 613, do not pass.

HB 635, do pass. Report adopted.

HB 655, do not pass.

NATURAL RESOURCES (Shelden, Chairman):

2/10/77

HB 190, do not pass.

HJR 24, do pass. Report adopted.

HJR 40, do pass. Report adopted.

HJR 42, introduced copy, be amended as follows:

1. Amend page 1, lines 11 and 12.

Following: "vetoed"

Strike: "by the former President of the United States, Gerald Ford"

And as amended, do pass. Report adopted.

### MESSAGES FROM THE GOVERNOR

February 10, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this date approved House Bill No.  
2.

Sincerely,

THOMAS L. JUDGE  
Governor

February 10, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this date approved the following measures:

Senate Bills No. 3, 7, 8 and 15.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/10/77

Senate Bill No. 23, introduced by Watt

Senate Bill No. 199, introduced by Murray, et al

Senate Bill No. 227, introduced by Story, et al

Senate Bill No. 250, introduced by Hazelbaker (by request)

Senate Bill No. 254, introduced by Roberts (by request)

Senate Bill No. 265, introduced by Lowe, et al

Senate Bill No. 316, introduced by McOmber, Etchart, Boylan

### MOTIONS

Meloy moved that HB 292 be rereferred from Printing to the Committee on Natural Resources. Motion carried.

Meloy moved that the rules be suspended for the purpose of introducing a bill regarding corporations requested by the Attorney General. Motion carried.

Meloy moved that the rules be suspended for the purpose of introducing a bill regarding local government taxation requested by the Department of Revenue. Motion carried.

W. Baeth moved that HB 373 be rereferred from the Committee on Highways and Transportation to the Committee on Rules. Motion carried.

Kimble moved that HB 686 be rereferred from the Committee on Labor and Employment Relations to the Committee on State Administration. Motion carried.

Waldron moved that the House reconsider its action of the previous Legislative Day in failing to pass HB 519 on Second Reading. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 756, introduced by Frates, Holmes, E. Gunderson, Cox, McLane, Metcalf, Waldron. Referred to Committee on Public Health, Welfare and Safety.

HB 757, introduced by the Committee on Taxation; Lien, Smith. Referred to Committee on Taxation.

HB 758, introduced by South, Ramirez. Referred to Committee on Judiciary.

HB 759, introduced by Subcommittee on Montana Water; Day, Chairman, (By Request of the Department of Natural Resources and Conservation). Referred to Judiciary Subcommittee on Montana Water.

HB 760, introduced by Ellison, Cox. Referred to Committee on Business and Industry.

HB 761, introduced by Harrington, Kimble, Ramirez. Referred to Committee on Judiciary.

HB 762, introduced by Bradley, South. Referred to Committee on Natural Resources.

HB 763, introduced by Ramirez, Meloy. Referred to Committee on Judiciary.

HB 764, introduced by Ramirez, Sivertsen. Referred to Committee on Business and Industry.

HB 765, introduced by Driscoll. Referred to Committee on State Administration.



HB 766, introduced by Holmes, Dussault, Waldron, Roth, McLane, Cox, Bradley, O'Connell, Estenson, Bengtson, Halvorson, Curtiss, Huennekens, Ryan, Metcalf, Meloy. Referred to Committee on Appropriations.

HB 767, introduced by Vincent, (By Request). Referred to Committee on Local Government.

HB 768, introduced by Kimble, Conroy, Kennerly, Johnston. Referred to Committee on Education.

HB 769, introduced by W. Baeth, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

HJR 64, introduced by E. Gunderson, Robbins, Day, Brand, Bengtson, Mular, Gilligan, Hirsch, Feda, Cox. Referred to Committee on Highways and Transportation.

HJR 65, introduced by Brand, Cooney. Referred to Committee on Appropriations.

HR 2, introduced by Burnett, Wyrick, Ellison, Porter, Staigmillier, Curtiss, Sivertsen, Pistoria, Hurwitz. Referred to Committee on Rules.

The following Senate bills were introduced, read first time and referred to committees:

SB 23, introduced by Watt. Referred to Committee on Local Government.

SB 199, introduced by Murray, Fasbender, Thomas, Story. Referred to Committee on Local Government.

SB 227, introduced by Story, Devine, Manley, Peterson, Boylan, Lowe, Dover, Galt, Flynn, Healy. Referred to Committee on Local Government.

SB 250, introduced by Hazelbaker, (By Request of the Board of Crime Control). Referred to Committee on Judiciary.

SB 254, introduced by Roberts, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Judiciary.

SB 265, introduced by Lowe, Healy, Lockrem, (By Request of the Board of Professional Engineers and Land Surveyors). Referred to Committee on State Administration.

SB 316, introduced by McOmber, Etchart, Boylan. Referred to Judiciary Subcommittee on Montana Water.

## REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Shelden, Chairman):

2/10/77

HB 254, introduced copy, be amended as follows:

1. Amend title, line 5.

Following: "disposal"

Strike: "and storage"

Following: "of"

Strike: "nuclear waste"

Insert: "large quantity radioactive materials"

2. Amend the bill, page 1.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Definitions. The definitions used in this act are intended to be consistent with those used in 10 CFR 1-199 and 49 CFR 173.389-173.399. As used in this act the following definitions apply:

(1) 'Byproduct material' means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

(2) 'Special nuclear material' means (a) plutonium, uranium-233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the United States nuclear regulatory commission determines to be special nuclear material, or (b) any material artificially enriched by any of the foregoing.

(3) 'Large quantity radioactive material' is that quantity of radioactive material defined in 49 CFR 173.389 (b).

(4) 'Disposal' means burial in soil, release through the sanitary sewerage system, incineration, or permanent long-term storage with no intention of or provision for subsequent removal.

(5) 'Person' means any individual, group, firm, partnership, corporation, cooperative, association, government subdivision, government agency, local government, or other organization or entity.

Section 2. No person may dispose of in Montana large quantity radioactive material produced in other states.

Section 3. Exceptions. Byproduct material possessed, used, and transported for educational purposes, scientific research and development, medical research, diagnosis and treatment, geophysical surveying and other purposes licensed by the United States nuclear regulatory commission shall be excepted from this act during the period of possession, use, and transportation prior to disposal.

Section 4. Penalty. A person convicted of violating this act is guilty of a misdemeanor and shall be fined an amount not less than \$250 for each offense. In this act, each day of violation constitutes a separate offense.

Section 5. Exclusion. Nothing in this act precludes the construction of a nuclear facility approved under the requirements of the Major Facility Siting Act."

And as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman): 2/11/77

HB 276, do pass. Report adopted.

HB 336, do not pass.

HB 626, do not pass.

HJR 11, do pass. Report adopted.

SB 134, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

2/11/77

HB 184, introduced bill, be amended as follows:

1. Amend title, line 4.

Following: "provide for"

Strike: "state"

2. Amend page 1, section 1, line 9.

Following: "Section 1."

Strike: "State payment"

Insert: "Payment"

3. Amend page 1, section 1, line 10.

Following: line 9

Strike: "state"

Insert: "local law enforcement agency within whose jurisdiction an alleged incident of sexual intercourse without consent occurs"

4. Amend page 1, section 1, line 11.

Following: "consent,"

Strike: "to the extent that"

Insert: "when the examination is directed by such agency and when"

And as amended, do pass. Report adopted.

HB 257, do not pass.

HB 490, do pass. Report adopted.

HB 529, introduced bill, be amended as follows:

1. Amend title, line 11.

Following: "an"

Strike: "immediate"

2. Amend page 4, section 5, line 4.

Following: line 3

Strike: "its passage and approval"

Insert: "July 1, 1978"

And as amended, do pass. Report adopted.

HJR 38, do pass. Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 117 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gould, Harper, Hirsch, Huennekens, Hurwitz, Jensen, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Porter, Quilici, Ramirez, Roth, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick.  
Total 66

Noes: Bengtson, Bradley, Courtney, Day, Dussault, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Hansen, Holmes, Johnston, Kenny, Kimble, Lory, Meloy, Metcalf, Pistoria, Robbins, Ryan, Scully, Staigmillar, Teague, Tropila, Williams, Mr. Speaker.  
Total 28

Excused: None.

Total 0

Absent or not voting: Bardanouve, Dassinger, Halvorson, Harrington, Kennerly, O'Connell.  
Total 6

House Bill No. 182 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch,



McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Dassinger, Hirsch, Kennerly.

Total 3

House Bill No. 305 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Colburn, Cooney, Courtney, Cox, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kessler, Kimble, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, South, Stobie, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 69

Noes: Bertelsen, Brand, Burnett, Conroy, Curtiss, Davis, Day, Ellerd, Ellison, Fedra, Hurwitz, Jensen, Kenny, Keyser, Kropp, Kvaalen, McLane, Marks, Meyer, Moore, Roth, Seifert, Smith, Staigmillier, Tower, Turner, Underdal, Vinger, Wyrick.

Total 29

Excused: None.

Total 0

Absent or not voting: Bardanouve, Kennerly.

Total 2

House Bill No. 317 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Hirsch, Severson.

Total 2

Excused: None.

Total 0



Absent or not voting: Bengtson, Frates, Kennerly.

Total 3

House Bill No. 340 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Quilici, Robbins, Scully, Severson, Shelden, Sivertsen, South, Staigmilller, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 69

Noes: Bardanouve, Bertelsen, Dassinger, Dussault, Ernst, Fagg, Fedá, Hansen, Harper, Jensen, Kenny, Kessler, Kvaalen, Lund, Nathe, Palmer, Porter, Ramirez, Roth, Ryan, Seifert, Smith, Stobie, Teague, Tower, Tropila, Turner, Vinger, Wood, Wyrick.

Total 30

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 443 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kessler, Kimble, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Quilici, Robbins, Shelden, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 58

Noes: Aageson, R. Baeth, Bertelsen, Burnett, Conroy, Cox, Curtiss, Davis, Day, Ellerd, Ellison, Fabrega, Fagg, Fedá, Hansen, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kropp, Kvaalen, McLane, Marks, Meyer, Moore, O'Keefe, Porter, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Stobie, Underdal, Vinger, Wood, Wyrick.

Total 41

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 444 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane,

Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Conroy, Kenny, Seifert, Smith.

Total 4

Excused: None.

Total 0

Absent or not voting: Ellison, Estenson, Kennerly.

Total 3

House Bill No. 456 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Burnett, Seifert.

Total 2

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 476 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 89

Noes: Curtiss, Feda, Porter, Smith, Staigmilller, Stobie, Vinger, Wood, Wyrick.

Total 9

Excused: None.

Total 0

Absent or not voting: Dassinger, Kennerly.

Total 2

House Bill No. 477 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Burnett.

Total 1

Excused: None.

Total 0

Absent or not voting: Dassinger, Kennerly.

Total 2

House Bill No. 481 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Colburn.

Total 1

Excused: None.

Total 0

Absent or not voting: Ellison, Kennerly, Turner.

Total 3

House Bill No. 485 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J.



Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Brand, Cooney, Estenson, Holmes.

Total 4

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 488 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Kenny, Keyser.

Total 2

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 489 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Dassinger, Davis, Dussault, Ellis, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kessler, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wood.

Total 68

Noes: Aageson, Brand, Burnett, Colburn, Cox, Curtiss, Day, Ellerd, Ellison, Ernst, Estenson, Jensen, Kenny, Keyser, Kropp, Kvaalen, Marks, Moore, Mular, Pistoria, Porter, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Underdal, Vinger, Wyrick, Mr. Speaker.

Total 31



Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 508 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Estenson, Frates, Hand, Harper, Holmes, Kenny, Lynch, Metcalf, Ryan, Staigmiller, Teague, Tropila.

Total 12

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 514 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Bardanouve, Roth, Turner.

Total 3

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 540 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson,

Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Ryan, Stobie.

Total 2

Excused: None.

Total 0

Absent or not voting: Bardanouve, Kennerly, Quilici.

Total 3

House Joint Resolution No. 29 was passed by the following vote:

Ayes: R. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Davis, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kessler, Keyser, Kimble, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Ramirez, Robbins, Ryan, Scully, Shelden, South, Staigmilller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 61

Noes: Aageson, W. Baeth, Bertelsen, Burnett, Cox, Curtiss, Dassinger, Ellison, Ernst, Feda, Gould, Hurwitz, Jensen, Kenny, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Marks, Meyer, Moore, Nathe, Porter, Quilici, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 38

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Joint Resolution No. 32 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kennerly, Wood.

Total 2

House Joint Resolution No. 34 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Johnston, Kanduch, Kessler, Kimble, Lien, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, South, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 56

Noes: Aageson, Barrett, Bertelsen, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Huennekens, Hurwitz, Jensen, Kenny, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Seifert, Severson, Sivertsen, Smith, Staigmillar, Stobie, Teague, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 43

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Joint Resolution No. 36 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: J. Gunderson, Hand, Stobie, Turner.

Total 4

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the



Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Estenson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to HJR 13 be concurred in. (95-0)

That HB 559 do not pass. (44-53) Constitutional amendment, referred to Third Reading.

That SB 9, SB 11, SB 47, SB 70, and SB 78 be passed to the bottom of the board.

That HB 113 do pass. (85-6)

That HB 155 do pass. (65-29)

That HB 246 do pass. (81-9)

That HB 262 be amended as follows:

1. Amend page 7, section 7, line 14.

Following: "prior"

Strike: "calendar quarter"

Insert: "month"

2. Amend page 7, section 7, line 17.

Following: "of the"

Strike: "40th"

Insert: "30th"

3. Amend page 7, section 7, line 18.

Following: "the"

Strike: "calendar quarter"

Insert: "month" (56-29)

And be further amended:

1. Amend page 9, section 12, lines 21 through 22.

Following: "fine"

Strike: "or imprisonment, or both, as provided in 95-2206.3"

Insert: "of not more than \$500" (70-17)

And as amended, be indefinitely postponed. (49-48)

That the committee rise and report. (Estenson, Chairman)

Kvaalen moved that HB 155 be segregated from the Committee of the Whole report and as amended be adopted. Motion failed, thereupon report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

2/10/77

Correctly printed - HB 298, HB 345.

Objection raised by Dussault on 2/11/77 on adverse committee report on HB 257. Referred to Second Reading.

Objection raised by Moore on 2/11/77 on adverse committee report on HB 269. Referred to Second Reading.



On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 382 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Dassinger, Day, Estenson, Eudaily, Fedra, Frates, Gerke, Gilligan, E. Gunderson, Hand, Hansen, Harper, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Keyser, Kropp, Lory, Lund, Manuel, Meloy, Menahan, Metcalf, Nathe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, Sivertsen, South, Staigmiller, Tropila, Uhde, Underdal, Vincent, Williams, Mr. Speaker.

Total 54

Noes: Barrett, Burnett, Colburn, Cox, Curtiss, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Fabrega, Gould, J. Gunderson, Harrington, Holmes, Hurwitz, Kenny, Kvaalen, Lien, Lynch, Marks, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Seifert, Severson, Smith, Stobie, Teague, Tower, Turner, Vinger, Waldron, Wood, Wyrick.

Total 39

Excused: None.

Total 0

Absent or not voting: R. Baeth, Fagg, Halvorson, Kennerly, Kessler, Kimble, McLane.

Total 7

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HB 391 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gould, E. Gunderson, Hand, Hansen, Harper, Hirsch, Hurwitz, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, Stobie, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Wood, Wyrick, Mr. Speaker.

Total 69

Noes: Courtney, Curtiss, Gerke, Gilligan, J. Gunderson, Harrington, Holmes, Huennekens, Kenny, Lynch, Metcalf, Mular, Palmer, Robbins, South, Staigmiller, Teague, Uhde, Waldron, Williams.

Total 20

Excused: None.

Total 0

Absent or not voting: Burnett, Ellerd, Fagg, Halvorson, Jensen, Kennerly, Kessler, Kimble, McLane, O'Connell, Scully.

Total 11

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HB 545 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe,

Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Barrett, J. Gunderson, Harrington, Kenny, Lynch, Stobie, Teague, Tropila.

Total 8

Excused: None.

Total 0

Absent or not voting: Burnett, Dassinger, Fagg, Halvorson, Hurwitz, Jensen, Kennerly, Kimble, McLane.

Total 9

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 576 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Bengtson, Day, Gould, Hansen, Harper, Kenny, Lien, Mular, Teague, Turner, Waldron.

Total 11

Excused: None.

Total 0

Absent or not voting: Fagg, Halvorson, Jensen, Kennerly, Kimble, McLane.

Total 6

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 642 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Barrett, Bertelsen, Conroy, Kenny, Keyser, Marks, Moore, Stobie, Teague, Waldron.

Total 10

Excused: None.

Total 0

Absent or not voting: Dassinger, Fagg, Halvorson, Jensen, Kennerly, McLane, Staigmiller.

Total 7

On motion by Johnston, and in accordance with the 24-hour rule, the adverse committee report on HB 568 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Colburn, Conroy, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 75

Noes: Bradley, Brand, Cooney, Courtney, Cox, Dussault, Estenson, Eudaily, J. Gunderson, Huennekens, Kenny, Lynch, Meloy, Menahan, Mular, Palmer, Quilici, Waldron.

Total 18

Excused: None.

Total 0

Absent or not voting: Burnett, Fagg, Halvorson, Jensen, Kennerly, McLane, Staigmiller.

Total 7

On motion by R. Baeth, and in accordance with the 24-hour rule the adverse committee report on HB 621 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 73

Noes: Barrett, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Gould, Holmes, Johnston, Keyser, Metcalf, Moore, Roth, Sivertsen, Stobie, Turner, Wood, Wyrick.

Total 20

Excused: None.

Total 0

Absent or not voting: Colburn, Fagg, Halvorson, Jensen, Kennerly, McLane, Staigmiller.

Total 7

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 562 was adopted by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Brand, Burnett, Conroy, Curtiss, Dassinger, Davis, Day, Ellerd, Ernst, Estenson, Feda, Gerke, E. Gunderson, J. Gunderson, Hand, Hansen, Hirsch, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lory, Lund, Marks, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Ramirez, Roth, Seifert, Severson, Shelden, Smith, South, Tower, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 55

Noes: Bengtson, Bradley, Colburn, Cooney, Courtney, Cox, Dussault, Ellis, Eudaily, Fabrega, Frates, Gilligan, Gould, Harper, Harrington, Holmes, Huennekens, Keyser, Lien, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Quilici, Robbins, Ryan, Scully, Sivertsen, Stobie, Teague, Tropila, Uhde, Vincent, Waldron.

Total 38

Excused: None.

Total 0

Absent or not voting: Ellison, Fagg, Halvorson, Jensen, Kennerly, McLane, Staigmiller.

Total 7

JUDICIARY (Scully, Chairman):

2/11/77

HB 573, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 12.

Following: "(streams)"

Strike: "waters"

Insert: "streams"

Following: "rivers"

Strike: ", "

Insert: "and"

2. Amend page 1, section 1, line 13.

Following: "streams"

Strike: ", lakes, and other bodies of water"

3. Amend page 1, section 1, line 16.

Following: "streams"

Strike: ", lakes, and other bodies of water"

Following: "rivers"

Strike: ", "

Insert: "and"

4. Amend page 1, section 2, line 25.

Following: "(streams)"

Strike: "waters,"

Insert: "rivers, sloughs, or streams"

5. Amend page 2, section 2, line 3.

Following: "through"

Strike: "or located on"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HJR 31, do not pass.

2/10/77

HJR 43, do pass. Report adopted.

2/11/77

HB 636, do pass. Report adopted.

2/11/77

FISH AND GAME (Staigmiller, Chairman):

2/10/77



HB 299, second reading bill, be amended as follows:

1. Amend title, line 6.

Following: "day"

Strike: "as or the day"

2. Amend title, lines 6 and 7.

Following: "game"

Strike: "and to prohibit"

Insert: ", "

3. Amend title, line 9.

Following: "hunters,"

Strike: "fishermen,"

4. Amend title, line 9.

Following: "hunting"

Strike: "and fishing"

5. Amend title, line 10.

Following: "wildlife"

Insert: "and harassing certain wildlife"

Following: "exceptions,"

Strike: "and"

6. Amend page 2, section 1, subsection (2)(a), line 14.

Following: "aircraft"

Insert: "including helicopters"

7. Amend page 2, section 1, subsection (2)(a), line 15.

Following: "aircraft"

Insert: "or helicopter"

8. Amend page 3, section 1, subsection (2)(b), lines 4 and 5.

Following: "game"

Strike: "birds(,) or game(,)"

9. Amend page 3, section 1, subsection (2)(b), line 9.

Following: line 8

Strike: "an airborne"

Insert: "a"

Following: "person"

Strike: "or persons on the ground"

Insert: "airborne"

10. Amend page 3, section 1, subsection (2)(b), lines 10 and 11.

Following: "day"

Strike: "as or the day"

11. Amend page 3, section 1, subsection (2)(c), line 14.

Following: line 13

Strike: "or fishing"

12. Amend page 3, section 1, subsection (2)(c), line 19.

Following: "Hunting"

Strike: "or fishing"

13. Amend page 3, section 1, subsection (2)(c), line 20.

Following: "hunters"

Strike: ", fishermen, fish"

14. Amend page 3, section 1, subsection (2)(c), line 21.

Following: "hunting"

Strike: "and fishing"

15. Amend page 7, section 1.

Following: line 2.

Insert: "(9) It is unlawful for a person to use a self-propelled vehicle to intentionally concentrate, drive, rally, stir up, or harass wildlife except predators of this state, providing that this subsection does not apply to landowners and their authorized agents engaged in the immediate protection of that landowner's property."

Renumber: subsequent subsections

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

### MOTIONS

Harper moved that the House reconsider its action in passing HB 117 on Third Reading.

Smith moved the previous question. Motion carried. Thereupon Harper's motion failed.

Burnett moved that the House reconsider its action in adopting the adverse committee report on HB 382. Motion carried.

Shelden moved that HB 424 be rereferred from the Committee on Natural Resources to the Committee on State Administration. Motion carried.

Meloy moved that the House adjourn until 10:00 a.m., February 12, 1977.

Motion carried.

House adjourned at 4:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## THIRTY-SIXTH LEGISLATIVE DAY

Helena, Montana  
February 12, 1977

House Chambers  
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by Father William Greytak, Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Day, Fagg, Gilligan, Halvorson, Lund, excused; Kennerly, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Considered correctly engrossed - HB 113, HB 155, HB 246, 2/12/77  
Correctly engrossed - HB 499. 2/11/77  
Correctly engrossed - HB 493. 2/12/77  
Correctly printed - HB 257, HB 269, HB 276, HB 382, HB 490, HB 510, HB 531, HB 595, HB 635, HB 636, HJR 11, HJR 24, HJR 38, HJR 40, HJR 43. 2/12/77  
Correctly printed - HB 320, HB 579, HB 589, HB 607. 2/11/77

Were signed by the Speaker on adjournment, 2/11/77 - HB 134, HB 135.

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman): 2/12/77

Recommend that the following be employed by the House of Representatives for the 45th Legislative Session at the beginning of business February 14, 1977:

Steven Marks .....Permanent Page, Minority Leader's Office

At the close of business, February 12, 1977, the following also be terminated:

John Hemstad .....Permanent Page, Minority Leader's Office

Report adopted.

#### NATURAL RESOURCES (Shelden, Chairman): 2/11/77

HB 197, introduced copy, be amended as follows:

1. Amend page 3.

Following: line 24

Insert: "(4) This act shall not apply to applications filed with the department prior to January 1, 1977, and for which an agreement has been signed, and for so long as it continues, extending the 60 day review period presently contained in 50-1210."

And as amended, do pass. Report adopted.

Objection raised by Kimble on 2/11/77 on adverse committee report on HB 190. Referred to Second Reading.

### MESSAGES FROM THE OTHER HOUSE

Bill concurred in by the Senate  
and returned to the House:

2/11/77

House Bill No. 64, introduced by Marks, Moore

Bills passed by the Senate and transmitted  
to the House for concurrence:

2/11/77

Senate Bill No. 93, introduced by Thiessen, Jergeson

Senate Bill No. 225, introduced by Story, Devine, Manley, et al

Senate Bill No. 243, introduced by Murphy, Bergren, Thiessen, et al

### MOTIONS

J. Gunderson moved that the House reconsider its action yesterday in indefinitely postponing HB 262 on Second Reading. Motion failed.

Scully moved that HB 498 be passed to the bottom of the Second Reading board. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 238 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gould, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: E. Gunderson, Tower.

Total 2

Excused: Day, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Kennerly.

Total 1

House Bill No. 325 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South,



Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Brand.

Total 1

Excused: Day, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Kennerly.

Total 1

House Bill No. 492 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Day, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Kennerly, Wood.

Total 2

House Bill No. 499 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellis, Ellison, Ernst, Estenson, Fabrega, Feda, Frates, Gerke, E. Gunderson, J. Gunderson, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Smith, South, Teague, Tower, Tropila, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: Aageson, R. Baeth, Bertelsen, Brand, Dussault, Eudaily, Gould, Hand, Hansen, Holmes, Kenny, Kimble, Ryan, Sivertsen, Staigmiller, Stobie, Turner, Uhde, Underdal, Waldron.

Total 20

Excused: Day, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Kennerly.

Total 1

House Bill No. 500 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Day, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Kennerly, Sivertsen.

Total 2

House Bill No. 513 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gerke, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Barrett, Estenson, Frates, Gould, Marks, Metcalf, Severson, Sivertsen, Smith, Stobie, Waldron.

Total 11

Excused: Day, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Kennerly.

Total 1

Senate Amendments to House Joint Resolution No. 13 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Brand, Colburn, Dassinger, J. Gunderson, Teague, Underdal.

Total 6

Excused: Day, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Kennerly.

Total 1

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 2/12/77  
 Correctly printed - HB 50, HB 141, HB 184, HB 196, HB 591,  
 HB 634, HJR 42.

TAXATION (Huennekens, Chairman):  
 HB 210, introduced bill, be amended as follows: 2/11/77

1. Amend page 1, section 1, subsection (2), line 22.

Following: "system."

Insert: "The original developer of a lot is exempt from this charge  
 for 3 years after the plat is approved."

And as amended, do pass. Report adopted.

HB 389, introduced bill, be amended as follows: 2/10/77

1. Amend page 1, section 1, line 13.

Following: "Montana."

Insert: "A minimum of \$100 shall be collected annually from the  
 owner of a passenger tramway facility. The assessment shall be  
 calculated upon gross receipts received during the period July 1 of  
 any year to July 1 of the following year."

2. Amend page 1, section 1, line 16.

Following: "by"

Strike: "July 1"

Insert: "December 31"

3. Amend page 1, section 2, line 20.

Following: "date"

Insert: "and transition period"

4. Amend page 1, section 2, line 21.

Following: "approval."

Insert: "Assessments for the period beginning on the effective date  
 of this act and ending July 1, 1977, shall be collected by December  
 31, 1977."

And as amended, do pass. Report adopted.

HB 637, introduced bill, be amended as follows: 2/11/77

1. Amend title, line 5.

Following: "A"

Strike: "2%"

Insert: "1%"

2. Amend page 4, section 1, subsection (c), line 22.

Following: "to"

Strike: "2%"

Insert: "1% of the first 6 cents per gallon"

And as amended, do pass. Report adopted.

EDUCATION (Dussault, Chairman):

2/12/77

HB 649, introduced bill, be amended as follows:

1. Amend page 3, section 1, subsection (1)(d), lines 8 and 9.

Following: "shall be"

Strike: "multiplied by the number of round trips it is necessary for him to make"

Insert: "limited to one round trip per day for each scheduled arrival or departure time"

And as amended, do pass. Report adopted.

HJR 18, introduced bill, be amended as follows:

1. Amend title, line 6.

Following: "of a"

Strike: "select"

2. Amend page 2, lines 24 and 25.

Following: "That"

Strike: "an eight-member select legislative committee be appointed"

Insert: "the committee on priorities is hereby requested to give high priority to the appointment of a committee"

3. Amend page 3, line 2.

Following: "the"

Strike: "select"

4. Amend page 3, line 6.

Following: "the"

Strike: "select"

5. Amend page 3, line 13.

Following: "the"

Strike: "select"

6. Amend pages 3 and 4.

Following: line 13 on page 3

Strike: line 14 on page 3 through line 2 on page 4 in their entirety

And as amended, do pass. Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 263 do pass. (79-9)

That HB 302 be amended as follows:

1. Amend page 4, section 5, line 21 through line 3 on page 5.

Strike: section 5 in its entirety

Renumber: subsequent sections



And be further amended as follows:

2. Amend title, line 9.

Following: "meetings;"

Strike: "permitting tape recording of open meetings," (81-9)

And as amended, be passed for the day.

That HB 318 do pass. (85-1)

That HB 323 do pass. (83-0)

That HB 324 do pass. (86-0)

That HB 326 be passed for the day.

That HB 351 do pass. (76-16)

That HB 412 be amended as follows:

1. Amend title, line 9.

Following: "1974"

Insert: "; and providing an effective date"

2. Amend page 10.

Following: line 21

Insert: "Section 3. Effective date. This act is effective on its passage and approval." (71-8)

And as amended, do pass. (63-28)

That HB 459 be passed for the day.

That HB 417 do pass. (87-4)

That HB 418 do pass. (84-3)

That HB 428 do pass. (88-4)

That HB 462 be passed to the 38th Legislative Day.

That HB 494 be amended as follows:

1. Amend page 1, section 1, line 19.

Following: "to"

Insert: "the state enabling act and" (84-0)

And as amended, do pass. (67-22)

Dussault excused at this time.

That HB 506 do pass. (48-36)

That HB 518 be amended as follows:

1. Amend page 2, section 1, lines 7 and 8.

Following: "subjobber,"

Insert: "or"

Following: "retailer"

Strike: ", or vendor" (67-2)

And as amended, do pass. (63-11)

That HJR 17 do not pass. (59-25)

That HB 234 do pass. (83-2)

That HB 298 do pass. (86-0)

That HB 337 be passed to the 37th Legislative Day.

That HB 345 do pass. (54-36)

Day present at this time.

That HB 392 do not pass. (65-29)

That HB 410 be passed for the day.

That HB 440 be amended as follows:

1. Amend section 1, line 18.

Following: "1"

Strike: "1/2"

Insert: "1/4" (72-0)

And as amended, do not pass. (47-37)

That HB 512 do pass. (82-1)

That HB 584 do pass. (72-10)

That HB 519 be amended as follows:

1. Amend page 12, section 7, line 10.

Following: "((1))"

Insert: ":(1)"

2. Amend page 12, section 7, line 13.

Following: "(or)"

Insert: " , or"

3. Amend page 12, section 7.

Following: line 13

Insert: "(2) the teacher will attain the age of 65 years before the ensuing first day of September and the trustees have notified the teacher in writing by the first day of April that his services will not be needed in the ensuing school fiscal year, except that the trustees may continue to employ such a teacher from year to year until the school fiscal year following his 70th birthday." (59-18)

(Material in parentheses denotes cancelled type.)

And as amended, do not pass. (51-43)

That HB 285 do not pass. (54-40)

That HB 320 do pass. (76-5)

That HB 361 be amended as follows:

1. Amend page 2, section 1, line 5.

Following: line 4

Insert: "general" (74-0)

And as amended, do pass. (56-30)

That HB 408 do pass. (79-0)

That HB 435 be passed to the 38th Legislative Day.

That HB 541 do pass. (73-8)

That HB 546 do pass. (76-0)

That HB 567 be passed to the bottom of the board.

That HB 579 do pass. (71-11)

That HB 580 do pass. (70-9)

That HB 585 do pass. (63-17)

That HB 589 be amended as follows:

1. Amend title, line 5.

Following: "and"

Strike: "city"

Insert: "police"

2. Amend page 1, section 1, line 22.

Following: "(police)"

Strike: "city"

Insert: "police" (76-0)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (79-1)

That HB 590 do pass. (75-6)

That HB 607 be passed to the bottom of the board.

That HB 620 do pass. (78-0)

That HB 633 be amended as follows:

1. Amend title, line 4.

Following: "to"

Strike: "require"

Insert: "allow" (76-1)

And be further amended as follows:

2. Amend page 1, section 1, line 13.

Following: "court"

Strike: "shall"

Insert: "may"

3. Amend page 1, section 1, line 14.

Following: "court"

Strike: "shall"

Insert: "may" (69-4)

And as amended, do pass. (49-32)

That HB 721 do pass. (77-0)

That HJR 37 do pass. (73-3)

That the committee rise and report. (Scully, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

On motion by Dassinger, and in accordance with the 24-hour rule, the adverse committee report on HB 362 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Cox, Dassinger, Day, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fedra, Gould, E. Gunderson, J. Gunderson, Hansen, Harper, Hirsch, Holmes, Hurwitz, Kessler, Keyser, Kropp, Lien, Lory, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Porter, Ramirez, Roth, Scully, Sheldon, Sivertsen, Smith, Staigmillier, Stobie, Tower, Turner, Underdal, Vinger, Williams, Wood, Wyrick.

Total 59

Noes: Brand, Curtiss, Estenson, Frates, Hand, Johnston, Kimble, Lynch, Mular, Palmer, Pistoria, Robbins, Teague, Tropila, Uhde, Vincent, Waldron, Mr. Speaker.

Total 18

Excused: Dussault, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Burnett, Colburn, Courtney, Davis, Ellison, Gerke, Harrington, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kvaalen, Quilici, Ryan, Seifert, Severson, South.

Total 18

On motion by Dassinger, and in accordance with the 24-hour rule, the adverse committee report on HB 613 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gould, E. Gunderson, Hand, Hansen, Hirsch, Hurwitz, Johnston, Kessler, Keyser, Kropp, Lien, Lory, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Roth, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Wood, Wyrick, Mr. Speaker.

Total 66

Noes: Bradley, J. Gunderson, Harper, Holmes, Kimble, Lynch, Robbins, Scully, Vincent, Waldron, Williams.

Total 11

Excused: Dussault, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Burnett, Colburn, Courtney, Ellison, Gerke, Harrington, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kvaalen, O'Connell, Quilici, Ryan, Seifert, Severson, South.

Total 18

On motion by Dassinger, and in accordance with the 24-hour rule, the adverse committee report on HB 655 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Frates, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Hurwitz, Johnston, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Scully, Shelden, Sivertsen, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 72

Noes: Aageson, Feda, Roth, Smith, Stobie, Tower.

Total 6

Excused: Dussault, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Burnett, Colburn, Courtney, Ellison, Gerke, Harrington, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kvaalen, Quilici, Ryan, Seifert, Severson, South.



## Total 17

On motion by W. Baeth, and in accordance with the 24-hour rule, the adverse committee report on HB 336 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Holmes, Hurwitz, Johnston, Kessler, Keyser, Kimble, Kropp, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Scully, Shelden, Sivertsen, Smith, Staigmillar, Stobie, Tower, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 62

Noes: Aageson, Brand, Conroy, Cooney, Hirsch, Lien, Moore, Mular, Robbins, Roth, Teague, Tropila, Turner, Uhde, Wyrick.

Total 15

Excused: Dussault, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Burnett, Colburn, Courtney, Davis, Ellison, Gerke, Harrington, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kvaalen, Quilici, Ryan, Seifert, Severson, South.

Total 18

On motion by W. Baeth, and in accordance with the 24-hour rule, the adverse committee report on HB 626 was not adopted by the following vote and referred to Second Reading:

Ayes: R. Baeth, W. Baeth, Bertelsen, Bradley, Conroy, Cooney, Dassinger, Day, Ellis, Ernst, Estenson, Eudaily, Fedra, Frates, Gould, E. Gunderson, Hand, Harper, Holmes, Johnston, Keyser, Kimble, Lory, Meloy, Metcalf, Nathe, O'Connell, O'Keefe, Palmer, Porter, Staigmillar, Vincent, Vinger, Mr. Speaker.

Total 34

Noes: Aageson, Bardanouve, Barrett, Bengtson, Brand, Cox, Curtiss, Davis, Ellerd, Fabrega, J. Gunderson, Hansen, Hirsch, Hurwitz, Kessler, Kropp, Lien, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Moore, Mular, Pistoria, Robbins, Roth, Scully, Sivertsen, Smith, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Waldron, Williams, Wood, Wyrick.

Total 42

Excused: Dussault, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Burnett, Colburn, Courtney, Ellison, Gerke, Harrington, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kvaalen, Quilici, Ramirez, Ryan, Seifert, Severson, Shelden, South.

Total 19

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HJR 31 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Cox, Dassinger, Day, Ellis, Ernst, Estenson, Eudaily, Fedra, Frates, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Hurwitz, Johnston, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez,

Robbins, Roth, Scully, Shelden, Sivertsen, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 67

Noes: Conroy, Curtiss, Davis, Ellerd, Fabrega, Marks, Meloy, Meyer, Moore, Nathe, Smith.

Total 11

Excused: Dussault, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Burnett, Colburn, Courtney, Ellison, Gerke, Harrington, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kvaalen, Quilici, Ryan, Seifert, Severson, South.

Total 17

On motion by Day, and in accordance with the 24-hour rule, the adverse committee report on HB 253 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gould, E. Gunderson, Hand, Hansen, Hirsch, Holmes, Hurwitz, Kessler, Keyser, Kropp, Lien, Lory, Lynch, McLane, Marks, Menahan, Metcalf, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Scully, Shelden, Sivertsen, Smith, Staigmilller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 66

Noes: Dassinger, J. Gunderson, Harper, Johnston, Manuel, Meloy, Meyer, Moore, Mular, Teague, Tropila.

Total 11

Excused: Dussault, Fagg, Gilligan, Halvorson, Lund.

Total 5

Absent or not voting: Burnett, Colburn, Courtney, Ellison, Gerke, Harrington, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kimble, Kvaalen, Quilici, Ryan, Seifert, Severson, South.

Total 18

STATE ADMINISTRATION (Brand, Chairman):

2/12/77

HB 229, do pass. Report adopted.

HB 274, do not pass.

HB 465, do not pass.

HB 525, introduced bill, be amended as follows:

1. Amend page 2, section 3, subsection (3), lines 8 through 10.

Following: "means"

Strike: "assets or rights owned, leased, or otherwise controlled by a railroad or other person which are used or useful in rail service"

Insert: "railroad roadbeds, track, track structure and other appurtenances of railroad rights-of-way"

2. Amend page 3, section 4, subsection (4), line 1.

Following: "promote,"

Strike: "supervise,"

3. Amend page 6, section 7, lines 13 through 22.

Following: "power —"

Strike: lines 13 through 22 in their entirety

Insert: "the director of the department of community affairs may request any railroad to provide such information as is reasonably necessary to carry out the purposes of this act. After a reasonable time to comply with the request, the director may make final demand for the requested information. If the information is not provided within 60 days of final demand the director may issue a subpoena to compel production of the information."

4. Amend page 6, section 8, subsection (1), lines 23 through 25; and page 7, section 8, subsections (1), (2), and (3), lines 1 through 17.

Strike: section 8 in its entirety

Renumber: subsequent sections

5. Amend page 8, section 11, lines 14 through 23.

Strike: section 11 in its entirety

Renumber: subsequent sections

6. Amend page 9, section 13, lines 9 through 12.

Following: "Section 13."

Strike: lines 9 through 12 in their entirety

Insert: "Acquisition of rail properties. In any case in which rail properties sought to be abandoned or otherwise disposed of are determined by the director of the department of community affairs to be suitable for other public purposes, including roads or highways, conservation, recreation or other forms of mass transportation, such rail properties shall not be abandoned or otherwise disposed of for a period of 6 months from the date of the notice thereof filed with the department of public service regulation, unless such rail properties have first been offered to the department of community affairs upon reasonable terms, for acquisition for public purposes. Whenever such properties are acquired and used by the state for rail transportation purposes, employees of the state employed to operate the properties for such purposes are entitled to bargain collectively under the terms of the Railway Labor Act."

7. Amend page 14, section 27, line 2.

Following: "(sections"

Strike: "24 and"

Following: "25"

Insert: "and 26"

8. Amend page 14, section 27, subsection (2), line 11.

Following: "(section"

Strike: "25"

Insert: "26"

(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 566, do not pass.

HB 623, introduced bill, be amended as follows:

1. Amend page 2, section 1.

Following: line 6

Insert: "(4) As used in this section, 'suitable clothing' means styled seasonable clothing, which will allow the resident to make a normal appearance in the community."

And as amended, do pass. Report adopted.

HB 625, do not pass.

HB 643, do not pass.



HB 645, do pass. Report adopted.

SB 13, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman):

2/11/77

HB 243, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "vehicles"

Insert: ", upon court order,"

2. Amend title, line 9.

Following: line 8

Insert: "or school attendance"

3. Amend title, lines 9 and 10.

Following: "license"

Strike: "amending Section 32-2142, R.C.M. 1947"

Insert: "and providing an immediate effective date"

4. Amend the bill, pages 1 through 4.

Strike: all of the bill following the enacting clause.

Insert: "Section 1. There is a new R.C.M. section numbered 31-146.1 that reads as follows:

31-146.1. Permit to drive in course of employment or school attendance. (1) A person whose license has been revoked under 31-146(2) may petition the court of conviction for a permit to drive to and from work or school or in the course of his employment.

(2) Upon proof that driving is a condition of a person's employment or attending school, the court may order the permit issued.

(3) Upon receipt of the court's order, the division of motor vehicles shall issue a special permit allowing the holder to drive to and from work or school or in the course of his employment, as ordered by the court.

Section 2. This act is effective on its passage and approval."

And as amended, do pass. Report adopted.

HB 251, introduced bill, be amended as follows:

1. Amend title, line 10.

Following: "drive;"

Insert: "to provide for mandatory driver improvement school and alcohol treatment program;"

2. Amend title, lines 11 through 13.

Following: "treatment;"

Strike: "and to provide a penalty for driving during a period of suspension or revocation of driving privileges;"

3. Amend title, line 13.

Following: "sections"

Insert: "31-145,"

Following: line 13

Insert: ", 31-149,"

4. Amend page 3, section 1, line 23.

Following: "(imprisonment)."

Insert: "On a first conviction under this section, the defendant shall be required to attend a court-approved, alcohol related driver improvement school."



5. Amend page 4, section 1, line 3.

Following: "than"

Strike: "3 months or more than 6 months"

Insert: "1 year"

6. Amend page 4, section 1, line 13.

Following: "(\$1,000(.00))."

Insert: "Upon a second or subsequent conviction of a violation of this section, the defendant shall be required to enroll in an alcohol treatment program approved by the department of institutions."

7. Amend page 4, section 1, line 16.

Following: "defendant"

Strike: "obtain counseling approved by the court or that he submit to medical treatment in a suitable public or private institution"

Insert: "successfully complete the driver improvement school or alcohol treatment program ordered by the court"

8. Amend page 4, section 1, line 25 through line 5 on page 5.

Following: line 24

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

9. Amend page 5, section 1, line 15 through line 2 on page 6.

Following: line 14

Strike: subsection (7) in its entirety

10. Amend page 6, section 2, line 16.

Strike: "intoxicating liquor"

Insert: "alcohol"

11. Amend page 7, following line 8.

Insert: section 3 and 4 as follows:

"Section 3. Section 31-145, R.C.M. 1947, is amended to read as follows:

'31-145. When court to forward license to (board) division and report convictions. (a) Whenever any person is convicted of any offense for which this act makes mandatory the revocation of the operator's or chauffeur's license of such person by the (board) division of motor vehicles of the department of justice, the court in which such conviction is had shall require the surrender to it of all operator's and chauffeur's licenses then held by the person so convicted. The court shall thereupon, within (five (5)) days, forward (said) the license to the (board) division and at the same time forward a record of such conviction to the (board) division, providing that if such person does not possess a driver's license the court shall so indicate in its report to the (board) division.

(b) Every court having jurisdiction over offenses committed under (this act, or) any (other) act of this state or municipal ordinance regulating the operation of motor vehicles on highways, shall forward, within (five (5)) days, to the (board) division a record of the conviction or forfeiture of bail, not vacated, of any person in (said) the court for a violation of any (said) such laws, other than regulations governing standing or parking, and may recommend the suspension of the operator's or chauffeur's license of the person so convicted. The court or clerk of court shall notify the division of all convictions and forfeitures of bail not vacated under 32-2142(3) involving an order of suspension or revocation of the defendant's

operator's license or nonresident's operating privilege. Upon receiving such notice, the division shall immediately suspend or revoke the operator's license or nonresident's operating privilege for the period of time ordered by the court.

(c) For the purposes of this act the term "conviction" shall mean a final conviction. Also, for the purposes of this act a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction.

(d) Any person convicted of any offense which makes mandatory the revocation of the operator's or chauffeur's license, such period of revocation shall commence from date of conviction or forfeiture of bail.'

Section 4. Section 31-149, R.C.M. 1947, is amended to read as follows:

'31-149. Period of suspension or revocation. (a) The (board shall) division may not suspend or revoke a driver's license or privilege to drive a motor vehicle on the public highways for a period of more than one (1) year, except as permitted under sections 31-148, 31-155, 53-424, (and) 53-430, and 32-2142, R.C.M. 1947.

(b) Any person whose license or privilege to drive a motor vehicle on the public highways has been suspended or revoked shall not be entitled to have such license or privilege renewed or restored unless the revocation was for a cause which has been removed, except that after the expiration of the period of such revocation or suspension, such person may make application for a new license as provided by law, but the (board shall) division may not then issue a new license unless and until it is satisfied after investigation of character, habits, and driving ability of such person that it will be safe to grant the privilege of driving a motor vehicle on the public highways. Provided, however, when any person is convicted or forfeits bail or collateral not vacated for the offense of operating or being in actual physical control of a motor vehicle while under the influence of (intoxicating liquor) alcohol or narcotic drug, or knowingly or willingly under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle or a combination thereof, the (board) division shall, upon receiving a report of such conviction or forfeiture of bail or collateral not vacated, suspend or revoke the license or driving privilege of such person for a period of (sixty (60) days) not more than 6 months. Upon receiving a report of a conviction or forfeiture of bail or collateral for a (subsequent such) second, third, or subsequent offense(,) within (five (5)) years (thereof) of the first offense, the (board) division shall suspend or revoke the license or driving privilege of such person for a period of (one (1)) year.

(c) The revocation period for all revocations made mandatory by section 31-146, R.C.M. 1947, shall be one (1) year, except as provided in subsection (b) of this section."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 260, introduced bill, be amended as follows:

1. Amend page 3, section 1, line 25.

Following: "(\$1,000.00)."

Strike: "The"

Insert: "Notwithstanding any provision to the contrary providing for suspension of execution of a sentence imposed under this subsection, the"

2. Amend page 4, section 1, line 2.

Following: "offense"

Insert: "that occurred within 5 years of the first offense"

And as amended, do pass. Report adopted.

HB 291, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "a"

Strike: "weapon"

Insert: "firearm"

2. Amend page 1, section 1, subsection (a), line 17.

Following: "or"

Strike: "weapon"

Insert: "firearm"

3. Amend page 1, section 1, subsection (a), line 19.

Following: "or"

Strike: "weapon"

Insert: "firearm"

4. Amend page 1, section 1, subsection (b), line 22.

Following: "or"

Strike: "weapon"

Insert: "firearm"

5. Amend page 1, section 1, subsection (b), line 25 through line 1 on page 2.

Following: "machine"

Strike: line 25 on page 1 through line 1 on page 2 in their entirety

Insert: ", vehicle, electrical device, or firearm creates a presumption that the person knew the serial number or other identification number or mark had been removed or otherwise obscured."

And as amended, do pass. Report adopted.

HB 313, do not pass.

HB 355, do pass. Report adopted.

HB 356, do not pass.

HB 472, do pass. Report adopted.

HB 641, introduced bill, be amended as follows:

1. Amend title, lines 5 through 7.

Following: "entitled: 'An act'"

Strike: "for the general revision of laws relating to the state department on institutions"

Insert: "to revise the procedure relating to alleged violations of youth aftercare agreements"

And as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman):

2/12/77

HB 521, do pass. Report adopted.

HB 537, do pass. Report adopted.

SB 64, be concurred in. Report adopted.



## FISH AND GAME (Staigmilller, Chairman):

2/10/77

HB 339, introduced bill, be amended as follows:

1. Amend title, line 6.

Following: "of the"

Strike: "General"

2. Amend title, line 7.

Following: line 6

Strike: "Special"

Following: "that"

Strike: "year"

Insert: "season; amending Section 26-202.1, R.C.M. 1947."

3. Amend the bill, page 1.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Section 26-202.1, R.C.M. 1947, is amended to read as follows:

'26-202.1. Licenses — fees — classifications of licenses — fees and powers under licenses. (1) Class A License—Resident Fishing License. Any resident as defined by section 26-202.3, upon payment of a fee of (five dollars ()\$5()) shall receive a Class A license which shall entitle the holder thereof to fish with hook and line or rod as authorized by regulations of the commission.

(2) Class A-1 License — Resident Game Bird License. Except as herein provided, any resident as defined by section 26-202.3, who is (twelve ()12()) years of age or older, may, upon payment of a fee of (four dollars ()\$4()) receive a Class A-1 license, which will entitle the holder to pursue, hunt, shoot and kill game birds and possess the dead bodies of game birds which are so authorized by regulations of the commission.

(a) No hunting licenses shall be issued to any resident person under the age of (eighteen ()18()) years unless he presents to the person authorized to issue such license a certificate of competency as provided by this section.

The department of fish and game shall provide for a course of instruction in the safe handling of firearms and for the purpose may cooperate with any reputable association or organization having as one of its objectives the promotion of safety in the handling of firearms. The department may designate any person found by it to be competent to give instructions in the handling of firearms. A person so appointed shall give such course of instruction and upon the successful completion thereof shall issue to the person instructed a certificate of competency in the safe handling of firearms.

(3) Class A-2 License — Special Bow and Arrow License. A holder of any one of the following: a Class A-3, A-4, A-5, B-2, B-5, B-7, B-8, or B-10 license, may upon payment of an additional sum of (six dollars ()\$6()) to any agent of the fish and game commission authorized to issue fishing and hunting licenses be entitled to a Class A-2 license, which shall authorize the holder thereof to pursue, hunt, shoot, and kill the game animals authorized by the licenses held with bow and arrow and to possess these carcasses during special seasons, and in special areas, as may be designated by the fish and game commission.



(4) Class A-3, A-4, A-5, A-6 Licenses. Any resident prior to the season for which the license is issued as defined by section 26-202.3 who (is) will be (twelve (12)) years of age or older, may upon payment of the proper fee or fees be entitled to purchase one each of the following licenses: Class A-3, Deer A Tag, (six dollars (12)) for the license year beginning May 1, 1976, and (seven dollars (12)) for each license year thereafter; Class A-4, Deer B Tag, (twelve dollars (12)); Class A-5 Elk Tag, (eight dollars (12)); Class A-6, Black or Brown Bear Tag, (six dollars (12)) which will entitle the holder to pursue, hunt, shoot, and kill the game animal or animals authorized by the license held and to possess the dead bodies of game animals of the state which are so authorized by the regulation of the commission.

(5) Class B License — Nonresident Fishing License. Any person not a resident as defined in section 26-202.3, upon payment of the sum of (twenty dollars (20)) to any agent of the fish and game commission authorized to issue fishing and hunting licenses, shall be entitled to a Class B license, which shall entitle the holder thereof to fish with hook and line as authorized by the rules and regulations of the commission.

(6) Class B-1 License — Nonresident Game Bird License. Except as herein provided, any person not a resident as defined in section 26-202.3, but who is (twelve (12)) years of age or older, upon payment of the sum of (thirty dollars (30)) to any agent of the fish and game commission authorized to issue fishing and hunting licenses shall be entitled to a Class B-1 license, which shall entitle the holder thereof to pursue, hunt, shoot, kill and possess game birds as authorized by the rules and regulations of the commission.

No hunting licenses shall be issued to any nonresident person under the age of (eighteen (18)) years unless he presents to the person authorized to issue such license a certificate of competency as provided in section 26-202.1(2)(a) or a certificate verifying that he has successfully completed a course in the safe handling of firearms in any state or province.

(7) Class B-2 License — Nonresident Combination License. Within the limitations of this section or any commission rule, any person not a resident as defined in section 26-202.3, but who (is) will be (twelve (12)) years of age or older prior to the season for which the license is issued, upon the payment of (fifty dollars (50)) may apply to the fish and game office, Helena, Montana, for a Class B-2 license, and nonresident conservation license as prescribed in section 26-230, which shall authorize the holder to pursue, hunt, shoot, kill and possess game birds, and to fish with hook and line as authorized by the rules and regulations of the commission, and to purchase additional and special licenses and tags as provided by law or commission regulation.

(8) Class B-3 License—Temporary Nonresident or Tourist Fishing License. Any person not a resident as defined in section 26-202.3, upon payment of the sum of (ten dollars (10)) to any agent of the fish and game commission authorized to issue fishing and hunting licenses, shall be entitled to a temporary nonresident fishing license, which shall authorize the holder to fish with hook and line as authorized by the rules and regulations of the fish and game commission for a period of (six (6)) days inclusive of the dates indicated on the license.

(9) Class B-5 License—Nonresident Deer License. Any person not a resident as defined in section 26-202.3, but who (is) will be (twelve (12)) years of age or older prior to the season for which the license is issued and a holder of a nonresident conservation license, upon the payment of the sum of (fifty dollars (\$50)) shall be entitled to a Class B-5 license which shall authorize the holder to pursue, hunt, shoot, and kill (one (1)) deer in the area or areas designated in the license, as determined by the commission, and to possess the carcass of same.

(10) Class B-6 License—Nonresident Antelope License. Any person not a resident as defined in section 26-202.3, but who (is) will be (twelve (12)) years of age or older prior to the season for which the license is issued and a holder of a Class B-2 nonresident combination license, upon the payment of the sum of (fifty dollars (\$50)) shall be entitled to a Class B-6 license which shall authorize the holder to pursue, hunt, shoot, and kill (one (1)) antelope in the area designated in the license, as determined by the commission, and to possess the carcass of same.

(11) Class B-7 and B-8 Licenses. Any person not a resident as defined in section 26-202.3, but who (is) will be (twelve (12)) years of age or older prior to the season for which the license is issued, and is a holder of a B-2 nonresident combination license, may upon payment of the proper fee or fees and subject to the limitations prescribed by law and commission regulation be entitled to apply to the fish and game office, Helena, Montana, to purchase one each of the following licenses: Class B-7, Deer A Tag, (fifty dollars (\$50)); Class B-8, Deer B Tag, (fifty dollars (\$50)); and will entitle the holder to pursue, hunt, shoot, and kill the game animal or animals authorized by the license held and to possess the dead bodies of game animals of the state which are so authorized by the regulations of the commission.

(12) B-10 Nonresident Big Game Combination License. Any person not a resident as defined in section 26-202.3, R.C.M. 1947, but who (is) will be (twelve (12)) years of age or older prior to the season for which the license is issued may, upon payment of the proper fee or fees and subject to the limitations prescribed by law and commission regulation, be entitled to apply to the fish and game office, Helena, Montana, to purchase a B-10 nonresident big game license for (two hundred twenty-five dollars (\$225)) which shall entitle the holder to all the privileges of a B-2 nonresident combination license, a deer A tag, and elk tag and a black bear license. This license includes the nonresident conservation license as prescribed in section 26-230, R.C.M. 1947.

(13) Special Licenses. (a) Any applicant who is (twelve (12)) years of age or older and is a resident as defined by section 26-202.3, or any applicant who is the holder of a Class B-2 nonresident combination license may apply for a special license, which in the judgment of the fish and game commission, is to be issued and shall pay the following fees therefor:

Moose, resident (twenty-five dollars (\$25)), nonresident (one hundred twenty-five dollars (\$125));

Mountain Goat, resident (fifteen dollars (\$15)), nonresident (seventy-five dollars (\$75));

Mountain Sheep, resident (twenty-five dollars (\$25)), nonresident (one hundred twenty-five dollars (\$125));

Antelope, resident (five dollars ()\$5());

Grizzly Bear, resident (twenty-five dollars ()\$25()), nonresident (one hundred twenty-five dollars ()\$125());

Black or brown bear, nonresident (fifty dollars ()\$50()).

In the event a holder of a valid special grizzly bear license kills a grizzly bear, he must purchase a trophy license for a fee of (twenty-five dollars ()\$25()) within (ten ()10()) days after date of kill. Such trophy license shall authorize the holder to possess and transport said trophy.

In the event that the number of valid resident applications for licenses exceeds the number of licenses which the fish and game commission desires to issue in any hunting district, then the number of licenses issued to nonresident license holders in that hunting district shall not exceed (ten per cent ()10%()) of the total issued.

(b) A person who will be 12 years of age or older prior to the season for which the license is issued may apply for a special antelope license.

(14) Class C License—Trapper's License. Any resident as defined in section 26-202.3, upon making application and paying the sum of (ten dollars ()\$10()) to the fish and game commission, shall be entitled to a trapper's license, which shall authorize the holder thereof to trap furbearing animals, within the state of Montana at such times and in such manner as may be lawful to do so under the laws of the state and the regulations of the fish and game commission, and at such places as may be designated in said license.

(15) Class C-1 License—Landowner's Trapping License. Any owner or tenant, or member of the immediate family of said owner or tenant, upon making application to the fish and game commission, and upon payment of the sum of (one dollar ()\$1()) shall be entitled to a landowner's trapping license, which shall entitle the holder thereof to trap any fur-bearing animal on land owned or leased by him, or his immediate family, at such times and in such manner as may be lawful so to do under the laws of the state and the regulations of the fish and game commission and at such places as may be designated in said licenses.

(16) Exception. (a) A resident under the definition of section 26-202.3, who is (sixty-two ()62()) years or older shall be entitled to fish and hunt game birds with a conservation license issued by the state fish and game commission for a fee of (one dollar ()\$1()). The form of such license shall be prescribed by the fish and game commission.

(b) Any veteran who is a patient residing at a hospital operated by the veterans administration, within or outside the state, and residents of all institutions under the jurisdiction of the state board of institutions, except the Montana state prison at Deer Lodge, will be entitled to fish without a license. Such residents shall carry a permit on a form prescribed by the commission and signed by the superintendent of the institution in lieu of a license.

(c) Disabled persons are entitled to fish without a license, if they are residents of Montana not residing in an institution and are certified as disabled by a licensed medical doctor, licensed to practice medicine in Montana.



Disability is defined as a physical or mental condition that prevents a person from doing any substantial gainful work that is expected to last for the rest of their life.

Such disabled persons shall carry a permit on a form prescribed by the commission.

(d) If a person is convicted of a violation of the fish and game laws or regulations of Montana, the privilege conferred by this subsection shall be revoked for not less than (six (6)) months.

(e) Residents, as defined by section 26-202.3, under the age of (fifteen (15)) years may purchase Class A-1, A-3, and A-5 licenses at (two dollars (2)) per license.

(f) The commission, by rule or regulation, may prescribe the number of Class B-5 and B-6, B-7, B-8, or B-10 licenses to be issued in each of the hunting districts designated by it. Any license sold may be restricted to a specific hunting area and may specify the species, age, and sex to be taken in order to ensure the proper management and propagation of game animals in these areas, provided, however, that no number limit shall be placed on B-7, B-8 and B-10 license by area except in major hunter concentration areas as determined by the commission. Not more than (seventeen thousand (17,000)) nonresident big game combination licenses (B-10) may be sold in any one license year.

(g) Special Antelope Licenses. In the event the number of valid applications for special antelope licenses for a hunting district exceeds the quota set by the commission for the district, such licenses shall be awarded by a drawing. Persons making valid application who did not receive an antelope license during the season immediately preceding the drawing shall be given first preference in such drawing for first, second and third choice hunting districts. The commission shall have the authority to promulgate such rules and regulations as are necessary to implement this subsection.

(h) Special Elk Permits. In the event the number of valid applications for special elk permits for a hunting district exceeds the quota set by the commission for the district, these permits shall be awarded by a drawing. Persons making valid application who did not receive a special elk permit during the season immediately preceding the drawing shall receive first preference in this drawing for first, second, and third choice hunting districts. The commission may promulgate the rules necessary to implement this subsection.

(17) Only one ((1)) license of any one ((1)) class, except Class B-3 and B-4 licenses, shall be issued to any one ((1)) person, provided, however, that the commission may prescribe rules and regulations for the issuance or sale of a replacement license of the same class in the event the original license is lost, stolen or destroyed upon payment of the sum of (one dollar (1)).

(18) Class AAA License—Sportsman's License. Any resident, as defined by section 26-202.3, who (is) will be (twelve (12)) years of age or older prior to the season for which the license is issued, upon payment of the sum of (thirty-five dollars (35)) shall be entitled to a sportsman's license which shall permit the holder to exercise all rights granted to holders of Class A, A-1, A-3, A-5, A-6 and resident conservation licenses as prescribed in section 26-230. The commission shall furnish each holder of a sportsman's license an appropriate decal.



(19) Class D-1 License—Nonresident Mountain Lion License. Any person not a resident as defined in section 26-202.3, but who is (twelve (12)) years of age or older and a holder of a nonresident Class B-2 combination license, upon payment of the sum of (twenty-five dollars (\$25)) to any agent of the fish and game commission authorized to issue fishing and hunting licenses shall be entitled to a Class D-1 license, which shall entitle the holder thereof to pursue, hunt, shoot, kill and possess mountain lion as authorized by the rules and regulations of the commission.

(20) Class D-2 License — Resident Mountain Lion License. Any person who is a resident as defined in section 26-202.3, and who is (twelve (12)) years of age or older, upon payment of the sum of (five dollars (\$5)) to any agent of the fish and game commission authorized to issue fishing and hunting licenses shall be entitled to a Class D-2 license, which shall entitle the holder thereof to pursue, hunt, shoot, kill and possess mountain lion as authorized by the rules and regulations of the commission.

(21) Special Elk or Deer Licenses. (a) Any person who is the holder of a valid resident elk license or a Class B-10 nonresident big game combination license may apply for a special elk license upon payment of a fee of (one dollar (\$1)).

(b) Any person who is the holder of a valid resident deer license or any nonresident who holds a Class B-2 license and a valid deer tag may apply for a special deer license upon payment of a fee of (one dollar (\$1)).

(c) The commission shall have the authority to promulgate such rules and regulations as are necessary to implement this subsection.”

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

Objection raised by Metcalf on 2/11/77 on adverse committee report on HB 625. Referred to Second Reading.

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 770, introduced by Harper, (By Request of the Governor). Referred to Committee on Natural Resources.

HB 771, introduced by Dussault, Brand. Referred to Committee on Education.

HB 772, introduced by Dussault, Bengtson. Referred to Committee on Education.

HB 773, introduced by Huennekens, Meloy, Vincent. Referred to Committee on Taxation.

HB 774, introduced by Burnett, Ramirez, Kenny, Meyer, Kropp, Marks, Moore, Fabrega, Staigmiller, Porter, Shelden, Wyrick, Seifert, Nathe, Feda, Keyser. Referred to Committee on Judiciary.

HB 775, introduced by Mular, (By Request of Silver Bow County Superintendent of Schools). Referred to Committee on Taxation.

HB 776, introduced by Vincent, Meloy. Referred to Committee on Natural Resources.

HB 777, introduced by Lory, Courtney, Hand. Referred to Committee on Judiciary.

HB 778, introduced by Palmer, Kessler, Harper, Brand. Referred to Committee on Judiciary.

HB 779, introduced by Driscoll, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Appropriations.

HB 780, introduced by Waldron, Brand, Dussault, Holmes, E. Gunderson, Estenson, Palmer, Kimble. Referred to Committee on Appropriations.

HB 781, introduced by Marks, Moore. Referred to Committee on Appropriations.

HB 782, introduced by Ramirez, Keyser, Scully, Porter. Referred to Committee on Judiciary.

HJR 66, introduced by Committee on Public Health, Welfare and Safety; Menahan, Chairman. Referred to Committee on Public Health, Welfare and Safety.

HJR 67, introduced by Lien, Sivertsen. Referred to Committee on Highways and Transportation.

HJR 68, introduced by Committee on Fish and Game; Staigmillier, Chairman; Tropila, Courtney, Conroy, Manuel, Johnston, R. Baeth, Barrett, Seifert, Ellis, Ellison. Referred to Committee on Fish and Game.

HJR 69, introduced by Tower. Referred to Committee on Taxation.

The following Senate bills were introduced, read first time and referred to committees:

SB 93, introduced by Thiessen, Jergeson. Referred to Committee on Appropriations.

SB 225, introduced by Story, Devine, Manley, Peterson, Dover, Boylan, Lowe, Lockrem, Galt, Flynn, Healy. Referred to Committee on Natural Resources.

SB 243, introduced by Murphy, Bergren, Thiessen, E. Smith, McCallum, Etchart, Aber. Referred to Committee on Education.

### MOTIONS

Meloy moved that HB 345 and HB 428 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Uhde moved that the House reconsider its action in failing to pass HJR 17 on Second Reading. Motion failed.

Brand moved that HJR 65 and HB 726 be rereferred from the Committee on Appropriations to the Committee on State Administration. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., February 14, 1977.

Motion carried.

House adjourned at 5:00 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## THIRTY-SEVENTH LEGISLATIVE DAY

Helena, Montana  
February 14, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Stobie, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

February 11, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Speaker:

The following pages will be employed from February 14th through February 19th, 1977.

Lory Buxbaum	Glendive
Darci Shane	Power
Beverly Fry	Livingston
Charlene Gunderson	Great Falls
Pam Dale	Missoula
Dirk Tarro	Billings
Stuart Doggett	White Sulphur Springs

The following page will be working from February 16th through February 22nd, 1977.

Hal Hauf	Lewistown
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The following page will be employed from February 17th through February 23rd, 1977.

Joan McMahon	Helena
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Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 2/14/77  
Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 1:15 p.m., 2/14/77 - HB 134, HB 135.

Correctly printed - HB 190, HB 229, HB 254, HB 355, HB 472, HB 521, HB 529, HB 537, HB 573, HB 625, HB 626, HB 645.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL  
(Quilici, Chairman):

2/14/77

Recommend that the following be employed by the House of Representatives for the 45th session at the beginning of business February 14, 1977:

Lory Lynn Buxbaum .....	Page
Pamela June Dale .....	Page
Stuart Howard Doggett .....	Page
Beverly Joy Fry .....	Page
Charlene Ellen Gunderson .....	Page
Darci Shane .....	Page
Dirk Tarro .....	Page

At the beginning of business February 16, 1977, the following also be employed:

Hal Dave Hauf .....	Page
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At the beginning of business February 17, 1977, the following also be employed:

Joan Marie McMahon .....	Page
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At the close of business February 12, 1977, the following also be terminated:

Gail Sylling .....	Page
Julie Rusk .....	Page
Joyce Meyer .....	Page
Lisa Cybulski .....	Page
Barbara Boyd .....	Page
Katherine M. Greany .....	Page
Robert A. Deichert .....	Page

At the close of business February 15, 1977, the following also be terminated:

Bobbie Jensen .....	Page
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At the close of business February 16, 1977, the following also be terminated:

Melody Lees .....	Page
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Report adopted.

NATURAL RESOURCES (Shelden, Chairman): 2/14/77

HJR 21, do pass. Report adopted.

HJR 48, do pass. Report adopted.

TAXATION (Dassinger, Vice-Chairman): 2/14/77

HB 743, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/14/77

HB 563, do not pass.

HB 683, do not pass.

HB 605, do pass. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted  
to the House for concurrence: 2/12/77

Senate Bill No. 97, introduced by Brown, Turnage, et al

Senate Bill No. 101, introduced by Jergeson, Turnage, Murphy,  
Brown



Senate Bill No. 219, introduced by Goodover, Murray (by request)

Senate Bill No. 232, introduced by Murray, Fasbender, et al

Senate Bill No. 272, introduced by Blaylock

Senate Bill No. 326, introduced by Turnage

Senate Bill No. 357, introduced by Lee (by request)

### MOTIONS

Huennekens moved that the House reconsider its action of the previous Legislative Day in failing to pass HB 285 and that it be rereferred to the Committee on Taxation. Motion failed.

Moore moved that SB 11 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

Pistoria moved that the House reconsider its action of the previous Legislative Day in adopting the adverse committee report on HB 362 and that it be referred to Second Reading. Motion carried.

Fagg moved that HB 595 be rereferred from Second Reading to the Committee on Taxation. Motion carried.

Meloy moved that HB 141 be passed to the 40th Legislative Day. Motion carried.

Brand moved that HB 525 be rereferred from Printing to the Committee on State Administration. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 113 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Smith, South, Staigmiller, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Kennerly, Mular, Sivertsen, Teague.

Total 4

Excused: None.

Total 0

Absent or not voting: Brand, Davis, Day, Harrington, Shelden, Stobie.

Total 6

House Bill No. 155 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand,

Colburn, Cooney, Courtney, Dassinger, Dussault, Ellis, Estenson, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lien, Lynch, Manuel, Meloy, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.  
Total 52

Noes: Aageson, Barrett, Bertelsen, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hirsch, Hurwitz, Jensen, Kenny, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Staigmiller, Tower, Turner, Underdal, Vinger, Wood, Wyrick.  
Total 44

Excused: None.

Total 0

Absent or not voting: Day, Menahan, Shelden, Stobie.

Total 4

House Bill No. 246 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 93

Noes: Curtiss, Davis, Robbins, Smith, Uhde.

Total 5

Excused: None.

Total 0

Absent or not voting: Shelden, Stobie.

Total 2

House Bill No. 484 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Kvaalen.

Total 1

Excused: None.

Total 0

Absent or not voting: Shelden, Stobie.

Total 2

House Bill No. 493 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Burnett, Jensen, Kvaalen, Moore, O'Keefe, Seifert, Smith, Vinger.

Total 8

Excused: None.

Total 0

Absent or not voting: Fabrega, Shelden, Stobie.

Total 3

House Bill No. 559 failed by the following vote:

Ayes: Ageson, R. Baeth, Bengtson, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Ellison, Fabrega, Fagg, Fedra, Frates, Gerke, E. Gunderson, J. Gunderson, Harper, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kvaalen, Lien, Lund, McLane, Meyer, Moore, Mular, O'Connell, Pistoria, Porter, Ramirez, Roth, Sivertsen, Smith, Staigmiller, Teague, Tropila, Underdal, Vinger, Williams, Wood.

Total 45

Noes: W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Courtney, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Gilligan, Gould, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kessler, Kimble, Kropp, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Nathe, O'Keefe, Palmer, Quilici, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Tower, Turner, Uhde, Vincent, Waldron, Wyrick, Mr. Speaker.

Total 54

Paired: Teague, Aye; Shelden, No.

Excused: None.

Total 0

Absent or not voting: Stobie.

Total 1

Stobie present at this time.



**REPORTS OF STANDING COMMITTEES**

Objection raised by Vincent on 2/14/77 on adverse committee report on HB 563. Referred to Second Reading.

Objection raised by Vincent on 2/14/77 on adverse committee report on HB 566. Referred to Second Reading.

**LABOR AND EMPLOYMENT RELATIONS** (Kimble, Chairman): 2/14/77

HJR 51, do pass. Report adopted.

HJR 52, introduced copy, be amended as follows:

1. Amend page 1, line 15.

Following: "programs"

Strike: "like the Job Corps"

2. Amend page 2, line 18.

Following: "apprentices"

Insert: ", where there is a proven need for skilled craftsmen"

3. Amend page 2, line 21.

Following: "programs"

Insert: "to those trades and crafts which have a shortage of skilled craftsmen and encourage registration of apprentices with the state Apprenticeship Bureau and the federal Bureau of Apprenticeship and Training"

And as amended, do pass. Report adopted.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Manuel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 498 do pass. (94-0)

That HB 567 do pass. (56-41)

That HB 607 do pass. (93-3)

That HB 302 be amended as follows:

1. Amend page 3, section 3, line 12.

Following: "government"

Insert: "(as defined in 82-4227)"

2. Amend page 5, section 6, line 7.

Following: "82-3402"

Strike: "or (section 3 of this act)" (88-1)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (78-18)

That HB 326 be amended as follows:

1. Amend page 2, section 4, subsection (2), lines 17 through 19.



Following: line 16

Strike: subsection (2) in its entirety

Renumber: subsequent subsections (82-5)

And as amended, do pass. (76-21)

That HB 337 do pass. (52-44)

That HB 410 do pass. (85-10)

That HB 459 do pass. (92-3)

That HB 50 do pass. (91-2)

That HB 184 do pass. (86-5)

That HB 196 do pass. (82-9)

That HB 257 do not pass. (73-22)

That HB 269 be amended as follows:

1. Amend title, line 5.

Following: "define"

Strike: "noncompliance coal and"

2. Amend title, lines 6 and 7.

Following: "beneficiation"

Strike: "; and amending section 84-134 to reduce severance tax on noncompliance coal"

3. Amend page 2, section 1, lines 16 through 18.

Following: line 15

Strike: subsection (9) in its entirety

Renumber: subsequent subsections

4. Amend page 2, section 2, line 22 through line 25 on page 3.

Strike: section 2 in its entirety (60-34)

And as amended, do not pass. (56-44)

That HB 276 do pass. (89-1)

That HB 382 do not pass. (73-15)

That HB 490 do pass. (79-8)

That HB 510 do not pass. (65-29)

That the committee rise and report. (Manuel, Chairman).

Moore moved that HB 269 be segregated from the Committee of the Whole report and as amended be adopted. Motion failed. Thereupon report was adopted.

## REPORTS OF STANDING COMMITTEES

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 313 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Fedak, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe,

O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Barrett, Ellerd, Fabrega, Keyser, Meyer, Moore, O'Keefe.

Total 7

Excused: None.

Total 0

Absent or not voting: Davis, Ellison, Ernst, Harrington, Hurwitz, Kimble, Lien, Ryan, Severson, South, Waldron, Williams.

Total 12

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 356 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Staigmiller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Mr. Speaker.

Total 82

Noes: Barrett, Davis, Fedá, Gould, Kropp, McLane, Marks, Moore, Ramirez, Smith, Tropila, Wood, Wyrick.

Total 13

Excused: None.

Total 0

Absent or not voting: Ernst, Hurwitz, Severson, South, Williams.

Total 5

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 274 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Tower, Turner, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Dassinger, Dussault, Gilligan, Huennekens, Kimble, Manuel, Mular, Ryan, Teague, Tropila, Uhde.

Total 11

Excused: None.

Total 0

Absent or not voting: Ellison, Ernst, Hurwitz, Lien, O'Connell, Severson, South, Williams.

Total 8

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 465 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Eudaily, Fagg, Fedra, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Jensen, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, Marks, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Quilici, Roth, Ryan, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Underdal, Vinger, Wood, Wyrick.

Total 64

Noes: Barrett, Bengtson, Bradley, Colburn, Estenson, Fabrega, Gilligan, Harper, Huennekens, Johnston, Kimble, McLane, Meloy, Meyer, O'Keefe, Porter, Ramirez, Robbins, Scully, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron.

Total 26

Excused: None.

Total 0

Absent or not voting: Ellis, Ellison, Ernst, Hurwitz, Lien, Manuel, Severson, South, Williams.

Total 9

Abstaining: Mr. Speaker.

Total 1

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 643 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Eudaily, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Hirsch, Holmes, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Ramirez, Robbins, Roth, Ryan, Seifert, Shelden, Sivertsen, Smith, Staigmiller, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 67

Noes: Barrett, Colburn, Cox, Dussault, Ellerd, Estenson, Fabrega, Frates, Harper, Harrington, Huennekens, Keyser, Kimble, Lynch, Mular, O'Keefe, Porter, Scully, Stobie, Teague, Tropila, Uhde, Vincent, Waldron, Mr. Speaker.

Total 25

Excused: None.

Total 0

Absent or not voting: Ernst, Hurwitz, Lien, Manuel, Quilici, Severson, South, Williams.

Total 8

BUSINESS AND INDUSTRY (Vincent, Chairman):

2/14/77

HB 384, do pass. Report adopted.



HB 535, do pass. Report adopted.

HB 760, introduced bill, be amended as follows:

1. Amend title, line 8.

Following: "corporations"

Insert: "; and providing an immediate effective date"

2. Amend page 1, section 1, line 11.

Following: "Section 1."

Strike: "Bond"

Insert: "Surety bond"

3. Amend page 1, section 1, line 16.

Following: line 15

Insert: "surety"

4. Amend page 1, section 1, subsection (1)(c), line 22.

Following: "remains;"

Insert: "and"

5. Amend page 1, section 1, subsection (1)(d), lines 23 through 25.

Following: line 22

Strike: subsection (d) in its entirety

Renumber: subsequent subsection

6. Amend page 2, section 1, subsection (2), line 4.

Following: "the"

Insert: "surety"

7. Amend page 2, section 1, subsection (3), line 7.

Following: "the"

Insert: "surety"

8. Amend page 2, section 1, subsection (4), line 8.

Following: "the"

Insert: "surety"

9. Amend page 2, section 1, subsection (4), line 11.

Following: "the"

Insert: "surety"

10. Amend page 2.

Following: line 15

Insert: "Section 2. Effective date. This act is effective on its passage and approval."

And as amended, do pass. Report adopted.

#### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 783, introduced by Bradley. Referred to Committee on Taxation.

HB 784, introduced by Brand, Menahan, Cooney. Referred to Committee on Business and Industry.

HB 785, introduced by Hand, Nathe, Keyser, Jensen, Conroy, Lien, Johnston. Referred to Committee on Natural Resources.

HB 786, introduced by Waldron. Referred to Committee on Business and Industry.

HB 787, introduced by Driscoll. Referred to Committee on Judiciary.

HJR 70, introduced by Nathe, Driscoll, Ramirez, Moore, Fabrega, Marks, Bradley, Bardanoue, Scully. Referred to Committee on Natural Resources.



The following Senate bills were introduced, read first time and referred to committees:

SB 97, introduced by Brown, Turnage, Thiessen, Regan, Watt, Rasmussen, Lowe. Referred to Committee on Taxation.

SB 101, introduced by Jergeson, Brown, Turnage, Murphy. Referred to Committee on Judiciary.

SB 219, introduced by Goodover, Murray, (By Request of the Insurance Commissioner). Referred to Committee on Business and Industry.

SB 232, introduced by Murray, Fasbender, Thomas, Story. Referred to Committee on Local Government.

SB 272, introduced by Blaylock. Referred to Committee on Labor and Employment Relations.

SB 326, introduced by Turnage. Referred to Committee on Judiciary.

SB 357, introduced by Labor and Employment Relations Committee; Lee, Chairman, (By Request of the Division of Workers' Compensation). Referred to Committee on Labor and Employment Relations.

Meloy moved that the House adjourn until 1:00 p.m., February 15, 1977.

Motion carried.

House adjourned at 5:15 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. MCGEE, Chief Clerk



## THIRTY-EIGHTH LEGISLATIVE DAY

Helena, Montana  
February 15, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellis, Gerke, Hansen, Kanduch, Lund, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Considered correctly engrossed - HB 196, HB 234, HB 276, HB 318,  
HB 337, HB 345, HB 408, HB 410, HB 418, HB 428, HB 490,  
HB 512, HB 541, HB 546, HB 580, HB 584, HB 585, HB 590,  
HB 620. 2/15/77

Correctly printed - HB 210, HB 299, HB 389. 2/14/77

Considered correctly engrossed - HB 263, HB 298, HB 320, HB 323,  
HB 324, HB 351, HB 417, HB 506, HB 579, HB 721,  
2/14/77

Correctly printed - HB 566, HB 641, HJR 18, HJR 48,  
2/15/77

#### NATURAL RESOURCES (Shelden, Chairman):

2/15/77

HB 292, second reading copy, be amended as follows:

1. Amend page 3, section 1, line 3.

Following: "84-7404"

Insert: "and may not be claimed for expenditures and capital investments financed by a state, federal, or private grant for development of renewable energy sources"

And as amended, do pass. Report adopted.

HB 542, do pass. Report adopted.

HB 577, do not pass.

HJR 19, do pass. Report adopted.

#### TAXATION (Huennekens, Chairman):

2/15/77

HB 616, do pass. Report adopted.

HB 617, do pass. Report adopted.

#### EDUCATION (Dussault, Chairman):

2/15/77

HB 348, introduced bill, be amended as follows:

1. Amend page 1, lines 1 and 2.

Strike: "a suggested enabling act for the interstate agreement on qualifications of educational personnel"

And as amended, do pass. Report adopted.

HB 349, do pass. Report adopted.

HB 596, do pass. Report adopted.

HB 619, introduced bill, be amended as follows:

1. Amend title, line 12.

Following: "1947"

Insert: "; and providing an immediate effective date"

2. Amend section 1, page 2, lines 4 and 5.

Following: "with"

Strike: "section 68-603, R.C.M. 1947"

Insert: "68-1704"

3. Amend page 10.

Following: line 13

Insert: "Section 7. Effective date. This act is effective on its passage and approval."

And as amended, do pass. Report adopted.

HB 652, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "in"

Insert: "certain"

2. Amend page 2, section 2, lines 14 through 22.

Following: "Section 2."

Strike: lines 14 through 22 in their entirety

Insert: "There is a new R.C.M. section that reads as follows:

Nepotism rules for Indian schools. (1) The board of trustees of public schools within the exterior boundaries of Indian reservations whose elected membership constitutes a majority of Indians on the board shall abide by tribal nepotism laws.

(2) When there is an absence of tribal nepotism laws, the local school district shall adopt its own written policies which will be submitted to the tribal council on or before July 1, 1977, for approval for use as the local nepotism law until the tribe establishes its own nepotism law."

And as amended, do pass. Report adopted.

HB 653, do pass. Report adopted.

HB 666, do pass. Report adopted.

HJR 33, do not pass.

HJR 44, do not pass.

HJR 45, do pass. Report adopted.

HB 571, do not pass.

2/14/77

### MESSAGES FROM THE OTHER HOUSE

House Amendments concurred in by the Senate:

2/14/77

House Amendments to Senate Bill No. 35

Bill concurred in by the Senate and returned to the House:

2/14/77

House Bill No. 167, introduced by Bertelsen, Ellerd, et al

Bills passed by the Senate and transmitted to the House for concurrence:

2/14/77

Senate Bill No. 120, introduced by Story

Senate Bill No. 220, introduced by Turnage (by request)

Senate Bill No. 229, introduced by Hazelbaker



### MOTIONS

Meloy moved that the Journal reflect that the Appropriations Subcommittee on Institutions, consisting of Ellis, Gerke, Hansen and Lund, are away on official business today. Motion carried.

Gould moved that the House reconsider its action in adopting the adverse committee report on HB 356 and that the bill be placed on Second Reading. Motion carried.

Brand moved that HB 229 be rereferred from Second Reading to the Committee on Local Government. Motion carried.

Dussault moved that HB 705 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Judiciary. Motion carried.

Dussault moved that HB 771 be rereferred from the Committee on Education to the Committee on State Administration. Motion carried.

Dussault moved that HB 772 be rereferred from the Committee on Education to the Committee on Public Health, Welfare and Safety. Motion carried.

Shelden moved that HJR 42 be rereferred from Second Reading to the Committee on Natural Resources. Motion carried.

### SPECIAL ORDERS OF THE DAY

A committee from the Senate composed of Mehrens, Mathers, Jergeson, and Lockrem entered to notify the House that the Senate was ready to convene in Joint Session.

Members of the Senate were admitted to the House.

The Legislature being in Joint Session, Senate President W. Gordon McOmber occupying the Chair for the Joint Session, appointed the following committee to notify the Supreme Court that the Senate and House of Representatives had convened in Joint Session and were ready to hear the message of the Chief Justice: Scully and Turnage.

The Supreme Court Justices were escorted to the rostrum.

After being presented to the assembly by the President of the Senate, Chief Justice Hatfield delivered his address:

THE STATE OF THE JUDICIARY  
BY  
THE SUPREME COURT OF MONTANA  
TO THE  
45TH LEGISLATURE

Helena, Montana  
February 15, 1977  
Delivered by  
Chief Justice Paul G. Hatfield

Justices:  
The Honorable Frank Haswell  
The Honorable Gene B. Daly  
The Honorable John C. Harrison  
The Honorable Daniel Shea

I thank you Mr. Speaker Driscoll, President McOmber, Governor Judge, Lt. Governor Schwinden, leaders of the Democrat and Republican parties

in the House and Senate, other members and staff of the Forty-fifth Legislative Assembly, distinguished guests, ladies and gentlemen:

The Judicial branch is pleased to report the State of the Montana Judiciary to the Legislative and Executive branches and thus provide the people of the State of Montana with a brief overview of the Judicial branch of government.

A fundamental principle which guarantees a Republican form of government is the separation of powers doctrine as provided in both the United States Constitution and the Constitution of the State of Montana.

The Judicial branch as a separate and equal branch is cognizant of the fact that it is the weakest of the three. However, as Thomas Payne wrote in the Federalist Papers, it is the archstone which holds the three branches together.

Further, the Judiciary is aware we must maintain a harmonious working relationship with the other branches of government.

The problems of an independent Judiciary are the same now as set out by Thomas Jefferson in the Declaration of Independence; we must depend upon the Legislative branch for funding and upon the Executive branch to provide court services.

In Montana, as throughout the United States, indeed throughout the world, the Judicial systems are under severe attack from within and without, from work load and work product.

In large metropolitan areas these problems seem almost insurmountable. However, in Montana where we have only 28 District Court judges, 5 Supreme Court justices, plus our magistrates, the problems are capable of definition and resolution.

Montana is large in area but small and extremely close knit in community. The consensus of Montana voters in the past election was a mandate to institute reform in Montana's judicial system.

This does not mean radical change. Change in this context means to take advantage of existing strengths in the system and build on them.

Montanans expect and demand that our court system function efficiently. That cases be tried constitutionally within reasonable time frames to be set by rule; avoiding delay and minimizing costs. That punishment for the guilty be swift and certain. That dangerous offenders be removed from society. That civil and probate matters be completed swiftly and justly with the least expense possible. That forums for litigation be easily accessible to the people. Finally, that there be an end to any given piece of litigation.

Allow me to review briefly what I consider the strength of our system as it now exists, and those changes that I propose to improve our system so that we are satisfied with the way it functions and proud of the results it achieves. This of course can only be accomplished with your support and cooperation, support and cooperation of all the judges, lawyers and support personnel and most importantly, the people of Montana.

Under former Chief Justice James T. Harrison, the Montana Supreme Court overcame a great backlog of work. He became Chief Justice in 1957. It was April, 1960, before he was able to set all cases ready for argument and hearing. Since that time the Supreme Court has remained current with their hearings, although the case load has increased from approximately 200 appeals in 1970 to over 400 appeals in 1976. The increase in Supreme Court filings was 33% more in 1976 than it was in 1975.

The load of the district judges has grown from approximately 15,500 cases in 1964 to 22,600 cases in 1976, a 32% increase. This additional load has been handled without any additional district judges.

The Supreme Court has standing commissions and committees which support the court in different areas of concern, some of which are:

The State Board of Bar Examiners prepare questions, give examinations and determine which examinees pass the Bar. Fred Moulton, Esq., Billings, is chairman of the board.

The Commission on Rules of Civil Procedure prepares suggested rules of civil procedure and amendments. Gene A. Picotte, Esq., Helena, is chairman.

The Probate Commission causes the completion of all delinquent probates. Honorable Frank I. Haswell, Justice, was chairman of this commission. The work is continuing under the Court Administrator.

The Uniform Probate Commission has drafted a new Probate Code. Bjarne Johnson, Esq., Great Falls, is chairman.

The Commission on Rules of Evidence has drafted rules of evidence which will become effective July 1, 1977. Sam Haddon, Esq., Missoula, is chairman.

The Commission on Lower Courts has the task of making procedure for lower courts uniform in the State of Montana and has drafted a desk book for magistrates. Honorable E. Gardner Brownlee, District Judge, Missoula, has been recognized by the United States Supreme Court for his work. Honorable H. William Coder, District Judge, Great Falls, is now chairman of the commission.

The Judicial Nominations Commission submits names of lawyers or judges for vacancies of district judges and Supreme Court justices to the Governor. Honorable W. W. Lessley, District Judge, is chairman.

The Commission on Unauthorized Practice investigates unauthorized practice of law. Robert P. Ryan, Esq., Billings, is chairman.

The Montana Jury Instruction Commission plans and prepares jury instruction guides for the district courts of Montana. Honorable W. W. Lessley is past chairman.

I will discuss other commissions later.

We have an excellent law school, the University of Montana at Missoula, to train our lawyers. It has a very fine library if it can be maintained. The law school has become increasingly involved in the support of the judicial system including intern work so graduating lawyers are better trained and professional.

We have an excellent State Bar of Montana which has now been integrated, consisting of able, dedicated and ethical lawyers. We have excellent, able, dedicated and sometimes frustrated trial judges.

In the last two years we have developed standards and goals for criminal justice in Montana under Honorable W. D. Murray, U.S. District Court Judge, and Mike Greeley, Attorney General, which give us a broad outline for many reforms within which we may make specific changes as necessary.

Most significantly, we have a new Constitution which provides the



Montana Supreme Court with general supervisory control over all courts and allows the Supreme Court to make rules governing practice and procedure for all courts. Rules of procedure are subject to disapproval by the Legislature in either of two sessions following the promulgation of the rules.

I should stress here that the rule making power is limited to procedural areas and not substantive law, which of course is your domain and upon which judges will not trespass. Properly exercised, the rule making power will achieve a uniform, efficient, and unified court system.

The court now has and has had for the last year a court administrator which has provided the judiciary with an important tool to manage its own internal affairs. The court administrator has been collecting statistical information and is now to the point of beginning computer programming and analysis of the material. By the next session of the Legislature, this management information system of the courts will be available so that the court system, having accepted its responsibility, will demonstrate its accountability. We will be able to report to you where every district court case is, what the status of the case is, which judge is responsible for it, and how long it has been in the system. These statistics will be for civil, criminal and all other cases.

The judicial management system is accomplished through the work of clerks of the district courts in each of the 56 counties. The clerks keep case reporting documents and forward them to Helena where they are edited by the court administrator's staff. The last phase is for the documents to be processed by data processing to generate monthly reports for district courts and the Supreme Court. With this information we will have the ability to equalize work loads and increase efficiency.

Has the system worked?

The answer in the vast majority of cases is yes, and it has worked well. This is not to say that it cannot be improved and it certainly will be.

The work load has increased tremendously. The litigation is more complex and time consuming. Also, it must be remembered that the rules we operate under many times do not allow room for error.

Our government, with its three separate but equal branches, is grounded on the rule of law. However, law is not self-executing. In the Judicial branch into which all controversy eventually comes for resolution, each component part is staffed by human beings and under our adversary system must function and interrelate efficiently and effectively to achieve our desired result which we express as justice.

Some problems can be corrected immediately. As an example, the disqualification of Judges Rule was changed by Supreme Court order on December 29, 1976. This rule probably will stop the abuses of disqualification, however, if further changes are needed, they will be made. This points up the flexibility of the rule making power in the Supreme Court.

Other problems will take more time and planning.

The Commission on Practice, which has the duty to investigate and report to the Supreme Court on complaints of alleged misconduct on the part of lawyers of the State of Montana, has been without sufficient funding to adequately conduct their investigations in a timely and expedient manner. W. T. Boone, Esq., Missoula, is chairman and Patrick F. Hooks, Esq., Townsend, is secretary.

The same can be said of the Commission on Judicial Standards which



investigates complaints against members of the Judiciary. Honorable Jack Green, District Judge, is chairman.

The Sentence Review Division, Honorable Jack Shanstrom, District Judge, chairman, needs additional funding so more judges can rotate as members to be more familiar with criminal sentences in the state.

You are aware of the needs in the State Law Library, the need for law clerks and secretaries, both in the Supreme Court and in the District Court, to better utilize existing judges. You are further aware of the need for emergency funding for the counties, especially for the large criminal defense costs.

The Congress of the United States in its passage of the new Crime Control Act in October, 1976, changed considerably the intent of the act and provided more direct involvement of the courts in criminal justice planning. Under this legislation there is available to Montana \$50,000 for a Judicial Planning Council. The council was established by the order of the Supreme Court in November, 1976. I will serve as chairman of the council. On the council will be judges from all levels; Supreme Court, District Court and Magistrate; clerks of court, members of the bar; prosecutors, defenders, probation officers and other judicial support people, as well as members from the Legislative and Executive branches. In the next two years the court and council will hope to achieve:

(1) A unified court system; with uniform rules of procedure developed primarily at the trial level.

(2) A plan for state assumption of support personnel; clerks, court reporters, juvenile probation, possibly adult probation, and criminal defenders.

(3) A plan for unified budgeting and record keeping of all judicial branch responsibility.

(4) A plan for compulsory continuing education for all judges, at all levels, and training of all other judicial branch personnel.

(5) Long range planning and projections for physical plant needs of the Supreme Court and judicial administrative staff.

(6) To review the responsibility, accountability and efficiency of each of the standing Supreme Court commissions and committees, and their procedures.

Therefore, at this time we ask:

(1) That you fund us adequately so that we may accept the responsibility rightfully ours to administer the Judicial branch of government, together with its support personnel; that those of you sincerely interested serve with us for the next two years on the Judicial Planning Council.

(2) That a two-year effective date be given to any assumption of state costs for court support personnel except for emergency funding for criminal defense costs.

(3) That a two-year moratorium be granted before great changes are made in the criminal sentencing areas. While we recognize that criminal sentencing is strictly within your area, we also know that the existing central institutions are overcrowded and that alternatives must be developed. This will take time to accomplish. You are aware that the court system is under maximum load, that a great change in sentencing would result inevitably in a much larger case load. This has been recently demonstrated in Arizona and Alaska.

Most important of all, I ask your support in passage of the salary commission's recommendations for Judicial salaries.

Each Legislature we seem to regress to personalities of sitting judges.

We are asking for appropriate salaries for competent judges.

Because of the work to be done as set out above; because we have 13 judges who are more than 60 years of age, 8 of whom are 64 years of age or over; we are asking a salary sufficient to attract the highest caliber judges in the future. Our experience shows that we replace 1 ½ to 2 judges per year. The salary for the Montana judges must be competitive to attract the best possible judges. Less than the best is just not good enough.

In December our Court Administrator, Ray Stewart, and I attended a week-long seminar on Court Administration at the National College for the Judiciary. Their instructors are the best working professionals in the world.

It was interesting that the judge-professor representing the courts was Homer B. Thompson, presiding Judge of San Jose, California. He is from Three Forks, Montana. His wife comes from Butte. The administrator-professor from the Federal Circuit of New York City is a former editor of the Glendive Ranger. The Court Administrator for the State of Arizona is from St. Ignatius, Montana. The Court Administrator for Everett, Washington, is from Roundup, Montana. It is marvelous to see what a great job we do for other states with our education and training. Imagine what we could do for ourselves if we gave our people an opportunity at home. We certainly have work to do.

We, the members of the Supreme Court and the trial judges, intend to answer our responsibility under our constitutional mandate to administer the Judicial branch of government. We ask your support and cooperation for this two-year period, after which we will report back to you the results of our labor.

We would all do well to keep in mind that even with the problems that our Judicial system has, it is the best system ever devised. With your cooperation we will be proud of it. We will agree with Abraham Lincoln that the most important principle we have to maintain is "respect for the law."

The Supreme Court Justices were escorted from the chamber.

U.S. Senator Melcher was escorted to the rostrum by Senator Watt and Representative Bardanoue. Following an address to the assembly he was escorted from the chamber.

It was moved by Senator Murphy that the Joint Session be dissolved and that the members of the Senate return to the Senate Chambers.

The Joint Session having been dissolved, the House resumed business at 2:20 p.m.

Mr. Speaker in the Chair.

### REPORTS OF STANDING COMMITTEES

Objection raised by Moore on 2/15/77 on adverse committee report on HJR 44. Referred to Second Reading.

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on HB 683 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Courtney, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Sivertsen, Smith, South, Teague, Tropila, Turner, Uhde, Underdal, Vinger, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Brand, Estenson, Mular, Vincent, Waldron.

Total 5

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Bradley, Cooney, Cox, Dussault, Fagg, Halvorson, Kennerly, Kropp, Nathe, Palmer, Roth, Severson, Shelden, Staigmiller, Stobie, Tower, Williams.

Total 17

### MOTIONS

Pistoria moved that the rules be suspended temporarily for the purpose of introducing a bill dealing with revenue bonds for municipalities and counties. Motion carried.

Kimble moved that HB 190 and HB 254 be passed for the day. Motion carried.

Moore moved that the House reconsider its action of the previous Legislative Day in failing to pass HB 269 on Second Reading. Motion failed. (49-49)

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 788, introduced by Dussault, Fagg, Kimble, Palmer, Cooney. Referred to Committee on State Administration.

HB 789, introduced by Waldron, Fagg, Dussault, Vincent, Metcalf, Palmer, Day, Lory, Harper, Holmes, South. Referred to Committee on Local Government.

HB 790, introduced by Curtiss, McLane, (By Request). Referred to Committee on Business and Industry.

HJR 71, introduced by Nathe. Referred to Committee on Natural Resources.

The following Senate Bills were introduced, read first time and referred to committees:

SB 120, introduced by Story. Referred to Committee on State Administration.

SB 220, introduced by Turnage, (By Request of the Insurance Commissioner). Referred to Committee on Business and Industry.

SB 229, introduced by Hazelbaker. Referred to Committee on Judiciary.

### REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker on adjournment, 2/15/77 - HJR 13.



LOCAL GOVERNMENT (Robbins, Chairman):

2/15/77

HB 208, do pass. Report adopted.

HB 600, do not pass.

HB 638, do not pass.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 263 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Bardanouve, Cooney.

Total 2

House Bill No. 298 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Cooney.

Total 1

House Bill No. 320 was passed by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennkens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Mular, Scully.

Total 2

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Cooney.

Total 1

House Bill No. 323 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennkens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Cooney.

Total 1

House Bill No. 324 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennkens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Feda, Vinger.

Total 2

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: R. Baeth, Cooney, Severson.

Total 3

House Bill No. 351 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Estenson, Fabrega, Fagg, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: Bardanouve, Barrett, Bengtson, Ernst, Eudaily, Feda, Frates, J. Gunderson, Holmes, Keyser, Kropp, Lien, Lory, McLane, Porter, Scully, Seifert, Underdal, Vinger, Williams.

Total 20

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Cooney.

Total 1

House Bill No. 417 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Brand, Davis, McLane, Marks, Seifert, Smith, Stobie.

Total 7

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Cooney, Ellerd.

Total 2

House Bill No. 506 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley,

Brand, Colburn, Conroy, Courtney, Cox, Dassinger, Dussault, Ellison, Estenson, Fagg, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kennerly, Kessler, Kimble, Kvaalen, Lien, Lynch, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, South, Staigmillier, Teague, Tropila, Turner, Vincent, Waldron, Williams, Mr. Speaker.

Total 55

Noes: Aageson, Barrett, Burnett, Curtiss, Davis, Ellerd, Ernst, Eudaily, Fabrega, Fedá, Gould, Hand, Harper, Jensen, Kenny, Keyser, Kropp, Lory, McLane, Manuel, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Tower, Uhde, Underdal, Vinger, Wood, Wyrick.

Total 38

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Cooney, Day.

Total 2

House Bill No. 579 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ernst, Eudaily, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 75

Noes: Burnett, Cox, Ellerd, Ellison, Estenson, Fabrega, Hurwitz, Jensen, Kropp, Kvaalen, McLane, Marks, Meyer, Moore, Porter, Smith, Stobie, Vinger, Wyrick.

Total 19

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Cooney.

Total 1

House Bill No. 721 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94



Noes: None.

Total 0

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Cooney.

Total 1

House Joint Resolution No. 37 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Bertelsen, Brand, Ellerd, Keyser, Stobie, Tower, Turner.

Total 7

Excused: Ellis, Gerke, Hansen, Kanduch, Lund.

Total 5

Absent or not voting: Cooney.

Total 1

## REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Brand, Chairman):

HB 436, introduced bill, be amended as follows:

2/14/77

1. Amend title, line 5.

Following: "section"

Strike: "23-3513"

Insert: "23-3804"

2. Amend the bill, pages 1 through 3.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Section 23-3804, R.C.M. 1947, is amended to read as follows:

'23-3804. Preparation of machines for use. (1) The registrar or city clerk shall put the proper ballots upon each voting machine corresponding with the sample ballots. The registrars or city clerks shall also:

(a) Set, adjust, and put the machines in order;

(b) Deliver the machines to the precincts together with necessary furniture and appliances;

(c) Place a shield painted black and marked "not in use" over the keys or lever not in use on the voting machine.

(2) In primary elections a separate row or column shall be assigned to each political party and at least (one (1)) row shall separate the rows assigned to the (two (2)) major political parties.



This row shall be used for the nonpartisan judicial ballot. The placement of the nonpartisan judicial ballot shall be such that the ballot of each political party appears in an unbroken row or column.

(3) In general elections the ballot shall be arranged and the names of the candidates rotated to conform as nearly as possible to the requirements for paper ballots.

(4) Candidates of the (two (2)) major parties shall be rotated between the first (two (2)) horizontal rows or vertical columns, and candidates of minor parties and independent candidates shall be rotated between succeeding rows or columns.

(5) The party designation of each candidate shall appear below this name in type as large as machine design will allow.

(6) The judicial ballot shall appear in the first (two (2)) horizontal or vertical rows or columns as prescribed by section 23-3513.

(7) The election judges shall compare the ballots on the machine with sample ballots, ensure that all counters are set at zero and the machine is in order. They shall not thereafter permit the machine to be operated or moved except by electors voting. They shall also see that arrangements are made for voting write-in ballots on the machine, if the machine is so arranged.”

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 525, introduced bill, be amended as follows:

2/15/77

1. Amend page 2, section 3, subsection (3), lines 8 through 10.

Following: “means”

Strike: “assets or rights owned, leased, or otherwise controlled by a railroad or other person which are used or useful in rail service”

Insert: “railroad roadbeds, track, track structure and other appurtenances of railroad rights-of-way”

2. Amend page 3, section 4, subsection (4), line 1.

Following: “promote,”

Strike: “supervise,”

3. Amend page 6, section 7, lines 14 through 22.

Following: line 13

Strike: lines 14 through 19 in their entirety

Insert: “director of the department of community affairs may request any railroad to provide such information as is reasonably necessary to carry out the purposes of this act. After a reasonable time to comply with the request, the director may make final demand for the requested information. If the information is not provided within 60 days of final demand the director may issue a subpoena to compel production of the information.”

4. Amend page 6, section 8, subsection (1), lines 23 through 25; and page 7, section 8, subsections (1), (2), and (3), lines 1 through 17.

Strike: section 8 in its entirety

Re-number: subsequent sections

5. Amend page 8, section 11, lines 14 through 23.

Strike: section 11 in its entirety

Re-number: subsequent sections

6. Amend page 9, section 13, lines 9 through 12.

Following: "Section 13."

Strike: lines 9 through 12 in their entirety

Insert: "Acquisition of rail properties. In any case in which rail properties sought to be abandoned or otherwise disposed of, are determined by the director of the department of community affairs to be suitable for other public purposes, including roads or highways, conservation, recreation or other forms of mass transportation, such rail properties shall not be abandoned or otherwise disposed of for a period of 6 months from the date of the notice thereof filed with the department of public service regulation, unless such rail properties have first been offered to the department of community affairs upon reasonable terms, for acquisition for public purposes. Whenever such properties are acquired and used by the state for rail transportation purposes, employees of the state employed to operate the properties for such purposes are entitled to bargain collectively under the terms of the Railway Labor Act."

7. Amend page 14, section 27, line 2.

Following: "(sections"

Strike: "24 and"

Following: "25"

Insert: "and 26"

8. Amend page 14, section 27, subsection (2), line 11.

Following: "(section"

Strike: "25"

Insert: "26"

(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

FISH AND GAME (Staigmilller, Chairman):

2/15/77

SB 169, be concurred in. Report adopted.

HB 181, introduced bill, be amended as follows:

1. Amend page 3, section 1, subsection (5), line 9.

Following: "act"

Insert: ", except the provision that requires a lawyer on the commission does not apply"

And as amended, do pass. Report adopted.

HJR 68, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

2/15/77

HB 338, do pass. Report adopted.

HB 461, introduced bill, be amended as follows:

1. Amend page 9, line 6.

Following: "Section"

Strike: "21"

Insert: "20"

Renumber: all subsequent sections

2. Amend page 9, section 21, line 9.

Following: "section"

Strike: "14"

Insert: "15"

3. Amend page 9, section 21, line 18.

Following: "section"  
 Strike: "14"  
 Insert: "15"

And as amended, do pass. Report adopted.

HB 608, do not pass.

SB 29, be concurred in. Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Lory in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 531 be passed for the day.

That HB 591 do pass. (86-0)

That HB 634 do pass. (83-1)

That HB 635 do pass. (64-17)

That HJR 11 do pass. (68-19)

That HJR 24 do pass. (87-2)

That HJR 38 be amended as follows:

1. Amend page 1, line 21.

Following: "housewife"

Strike: "and"

Insert: ", husband, father and grandparent" (77-8)

And as amended, do not pass. (56-31)

That HJR 40 do pass. (75-12)

That HJR 43 do pass. (86-1)

That HB 435 be amended as follows:

1. Amend title, page 1, line 8.

Following: "43-802,"

Insert: "43-803,"

2. Amend page 5, line 15.

Following: line 14

Insert: a new section 3 as follows:

"Section 3. Section 43-803, R.C.M. 1947, is amended to read as follows:

'43-803. Licensing of lobbyists — fee — expiration, suspension or revocation — reinstatement. (1) Licenses—fees—eligibility. Any person of adult age and good moral character who is a citizen of the United States and otherwise qualified under this act may be licensed as a lobbyist as herein provided. The secretary of state shall provide for the form of application for license. Such applica-

tion may be obtained in the office of the secretary of state and filed therein. Upon approval of such application and payment of the license fee of \$10 to the secretary of state, a license shall be issued which shall entitle the licensee to practice lobbying on behalf of any one or more principals. Each license shall expire on December 31 of (each odd numbered year) the year for which it is issued. No application shall be disapproved without affording the applicant a hearing which shall be held and decision entered within 10 days of the date of filing of the application. The license fees collected by the secretary of state under this act shall be deposited by him in the state treasury.

(2) Suspension or revocation of license. Upon verified complaint in writing to the attorney general of the state of Montana charging the holder of a license with having been guilty of unprofessional conduct or with having procured his license by fraud or perjury or through error, the attorney general is hereby authorized to bring civil action in the district court for Lewis and Clark county, state of Montana, against the holder and in the name of the state as plaintiff to revoke the license. Hearing shall be held by the court unless the defendant-licensee demands a jury trial. The trial shall be held as soon as possible and at least 20 days after the filing of the charges and shall take precedence over all other matters pending before the court. If the court finds for the plaintiff, judgment shall be rendered revoking the license, and the clerk of the court shall file a certified copy of the judgment with the secretary of state. The licensing authority may commence any such action on his own motion.

(3) Suspension of lobbying privileges. No lobbyist whose license has been suspended or revoked and no person who has been convicted of a violation of any provision of this act shall engage in any lobbying until he has been reinstated to the practice of lobbying and duly licensed.”

Renumber: subsequent sections

3. Amend page 5, section 3, lines 21 through 25.

Following: “employment”

Strike: “cause the name of said lobbyist to be entered upon the docket. It shall also be the duty of (the) any lobbyist who receives compensation of \$250 or more in a quarter-year, from all sources, to enter his name upon the docket”

Insert: “report the name and address of the lobbyist and the subjects of legislation in which they are to the secretary of state. The lobbyist shall make application for license as provided in 43-803 within one week after employment”

4. Amend page 8, line 16.

Following: “shall”

Strike: “register”

Insert: “file”

5. Amend page 8, line 21.

Following: “If the”

Strike: “registrant”

Insert: “principal”

6. Amend page 8, line 23.

Following: “each”

Strike: “registrant”

Insert: “principal”



7. Amend page 10.

Following: line 4

Insert: new section 8, as follows:

"Section 8. There is a new R.C.M. section that reads as follows:

Principals required to register, penalty for failure to register and file statements or for false statements. A person may not employ a lobbyist or make payments to influence legislative action unless he files the statements required under this chapter. A principal who fails to file a required report is subject to the penalty provided in 43-808. A principal who knowingly files a false, erroneous, or incomplete statement commits the offense of false swearing, unsworn falsification to authorities or tampering with public records or information, as appropriate, and is punishable as provided in 94-7-203, 94-7-204, or 94-7-209, as applicable." (59-19)

(Material in parentheses denotes cancelled type.)

And be further amended:

8. Amend page 10, section 6.

Following: line 4

Insert: "(3) In order to aid in the enforcement of this act, any duly elected legislator of the state of Montana is hereby required to file a weekly report covering any expenditure made in his behalf by any registered lobbyist and further that such report is required to be made available to the secretary of state on a weekly basis." (76-10)

And as amended, do not pass. (66-31)

That HB 462 be amended as follows:

1. Amend title, page 1, line 8.

Following: "judiciary"

Strike: ",,"

Insert: ",'"

Following: line 8

Strike: line 9 in its entirety

2. Amend page 10, section 10, line 12.

Following: "act."

Insert: "If he does not disclose the nature of his private interest which creates the conflict, he is disqualified from performing the official act involved."

3. Amend page 10, section 12, line 24 through line 12 on page 12.

Strike: section 12 in its entirety (79-3)

And as amended, do not pass. (Failed 47-47)

On motion by Meloy do pass motion of HB 462 reconsidered. (48-40)

That HB 462 do pass. (Failed 47-48)

On motion by Meloy do not pass motion of HB 462 reconsidered.

That HB 462 do not pass. (Failed 44-54)

That HB 462 be passed for the day.

That the committee rise and report. (Lory, Chairman)

Tower moved that HJR 38 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 2/15/77

Correctly printed - HB 243, HB 291, HB 623, HB 637, HB 649.

Correctly engrossed - HB 361, HB 494, HB 518, HB 589, HB 633.

Will be signed by the Speaker on adjournment, 2/15/77 - HB 38, HB 44.

LOCAL GOVERNMENT (Robbins, Chairman): 2/15/77

HB 195, introduced copy, be amended as follows:

1. Amend title, line 6.

Following: "1977"

Strike: ", and \$3,600 a year beginning July 1, 1978"

2. Amend page 4, section 1, lines 18 and 19.

Following: "a year"

Strike: "and beginning July 1, 1978, the additional sum of \$3,600 a year"

And as amended, without recommendation. Report adopted.

HB 211, introduced copy, be amended as follows:

1. Amend page 1.

Following: line 14

Insert: "Section 2. Notice. (1) Before a county may enter into an interlocal agreement as provided in (section 1), notice shall be published for 3 consecutive days in a newspaper of general circulation within the county and shall be sent by the governing body to each freeholder of property in the area to be a park district.

(2) The governing body shall satisfy the requirements of this section if it mails notice to the freeholder or freeholders shown on the last tax roll at the address to which tax notices are sent."

(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 602, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 12.

Following: "licensed"

Strike: "or bonded"

2. Amend page 1, section 1, line 16.

Following: "may"

Insert: "again"

3. Amend page 1, section 1, line 17.

Following: line 16

Insert: "professional or occupational"

4. Amend page 1, section 1, line 17.

Following: "license"

Strike: "or bond"

5. Amend page 1, section 1, subsections (3) and (4), line 19 through line 5 on page 2.

Following: line 18

Strike: subsections (3) through (4) in their entirety.

And as amended, do not pass.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman): 2/15/77  
HB 158, do pass. Report adopted.  
HJR 53, do pass. Report adopted.

BILLS (Quilici, Chairman): 2/15/77  
Correctly enrolled - HB 38, HB 44, HJR 13.

Objection raised by Kimble on 2/15/77 on adverse committee report on HB 638. Referred to Second Reading.

Objection raised by O'Keefe on 2/15/77 on adverse committee report on HB 602. Referred to Second Reading.

### MOTIONS

Ramirez moved that HB 462 be rereferred from Second Reading to the Committee on Judiciary. Motion carried.

Shelden moved that HB 538 be rereferred from the Committee on Natural Resources to the Judiciary Subcommittee on Montana Water. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., February 16, 1977.

Motion carried.

House adjourned at 5:45 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## THIRTY-NINTH LEGISLATIVE DAY

Helena, Montana  
February 16, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, E. Gunderson, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Considered correctly engrossed - HB 591, HB 634, HB 635, HJR 11, HJR 24, HJR 40, HJR 43. 2/16/77

Correctly printed - HB 158, HB 197, HB 208, HB 251, HB 260, HB 338, HB 339, HB 349, HB 356, HB 384, HB 542, HB 563, HB 596, HB 616, HB 617, HB 638, HB 653, HB 666, HJR 19, HJR 44, HJR 45, HJR 52, HJR 53, HJR 68. 2/16/77

Correctly printed - HB 362, HB 535, HB 605, HB 743, HB 760, HJR 21. 2/15/77

Considered correctly engrossed - HB 50, HB 184, HB 459, HB 498, HB 567, HB 607. 2/15/77

Correctly engrossed - HB 302, HB 412. 2/16/77

Correctly engrossed - HB 326. 2/15/77

Were signed by the Speaker on adjournment, 2/15/77 - HB 38, HB 44, HJR 13.

Objection raised by Conroy on 2/15/77 on adverse committee report on HB 577. Referred to Second Reading.

#### AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman): 2/15/77

HB 372, do not pass.

HB 509, do pass. Report adopted.

HB 526, introduced bill, be amended as follows:

1. Amend page 2, section 1, lines 5 through 10.

Following: "shall"

Strike: lines 5 through 10 in their entirety

Insert: "accept the highest bid. If the lessee exercises the preference right and believes the bid to be excessive, he may request an administrative hearing. The board may, after the hearing, reduce the rental from the amount bid if the lessee shows that the bid is not in the best interest of the state because it is above community standards for a lease of such land and would cause damage to the tract or impair its long-term productivity. If the board reduces the bid, it shall set forth its findings and conclusions in writing and so inform the lessee and competitive bidder.

(3) When the department receives an application to lease an unleased tract, it shall advertise for bids on the tract. The tract shall be leased to the highest bidder unless the board determines that the bid is not in the state's best interest for the reasons set

forth in subsection (2). If the high bid is rejected, the board shall set forth the reasons for the rejection in writing. The lease shall then be issued, at a rental to be determined by the board, to the first willing bidder whose name is selected through a random selection process from all bidders on the tract."

Renumber: subsequent subsection

And as amended, do pass. Report adopted.

HJR 41, do pass. Report adopted.

HJR 49, do pass. Report adopted.

HJR 54, introduced resolution, be amended as follows:

1. Amend page 2.

Following: line 19

Insert: "Be it further resolved, that the Legislature commends the Helena '77 Rodeo Association and other organizations for a job well done in organizing the 1977 national high school rodeo finals."

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

2/15/77

HB 527, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "fee"

Strike: "to"

Insert: "may"

2. Amend title, lines 6 through 11.

Following: "registered"

Strike: "," and lines 6 through line 11 in their entirety.

Insert: "and used for the construction and reconstruction of city streets and highways; amending Section 53-122, R.C.M. 1947."

3. Amend pages 1 and 2, sections 1 and 2, line 14 through line 11 on page 2.

Following: the enacting clause

Strike: sections 1 and 2 in their entirety

Insert: "Section 1. There is a new R.C.M. section that reads as follows:

Special construction fee. The county treasurer shall segregate from the county road fund all special construction fees collected in accordance with (section 3) of this act and transmit them to the appropriate official in the city in which the fee is authorized.

Section 2. There is a new R.C.M. section that reads as follows:

Use of special construction fee. The city treasurer shall deposit all special construction fees in a separate city fund for use in the construction and reconstruction of permanent highways and streets within the city's corporate limits."

4. Amend page 4, section 3, line 21.

Following: "above,"

Strike: "a fee of \$10 shall be collected"

Insert: "a city's governing body may impose a special construction fee of \$10 for a specified number of years"

5. Amend page 4, section 3, line 22.

Following: "vehicle"

Strike: "is registered to be distributed as provided in 32-3702"

Insert: "owned by a resident of the city is registered"

6. Amend page 6.

Following: line 11

Insert: "Section 4. There is a new R.C.M. section that reads as follows:

Imposition of special construction fee — hearing — referendum. Before levying this fee, a city's governing body shall publish notice of its intent at least once a week for two successive weeks in a newspaper of general circulation and hold a public hearing concerning imposition of the fee. The qualified electors of the city may overturn a governing body's decision by a referendum as provided in Title 37, chapter 3."

(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 699, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (1), line 22.

Following: "the"

Strike: "legislature"

Insert: "department of revenue"

Following: "each"

Strike: "biennium"

Insert: "year by the third Monday in June"

2. Amend page 2, section 1, subsection (1), line 1.

Following: "equalization."

Insert: "The department of revenue shall notify each county superintendent by July 1 of each year as to the number of mills to be imposed in that county for the foundation programs."

3. Amend page 4, section 2, subsection (1), line 9.

Following: "the"

Strike: "legislature"

Insert: "department of revenue"

Following: "each"

Strike: "biennium"

Insert: "year by the third Monday in June"

4. Amend page 6, section 4, line 3.

Following: "January 1,"

Strike: "1978"

Insert: "1979"

And as amended, do pass. Report adopted.

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HB 571 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 87

Noes: Estenson, Frates, Huennekens, Meloy, Vincent.

Total 5

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Barrett, Brand, Curtiss, Mular, Palmer, Scully.

Total 6

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HJR 33 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fagg, Fedra, Gerke, Gilligan, Gould, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Menahan, Metcalf, O'Connell, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Williams, Wood, Mr. Speaker.

Total 69

Noes: Bertelsen, Colburn, Ernst, Fabrega, Frates, Huennekens, Jensen, Keyser, Lund, McLane, Meloy, Meyer, Moore, Nathe, Porter, Ramirez, Smith, Teague, Uhde, Vincent, Wyrick.

Total 21

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Barrett, Brand, Halvorson, Mular, O'Keefe, Palmer, Severson, Waldron.

Total 8

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted  
to the House for concurrence:

2/15/77

Senate Bill No. 145, introduced by Lockrem, Brown, et al

Senate Bill No. 159, introduced by Towe (by request)

Senate Bill No. 195, introduced by Flynn, et al

Senate Bill No. 223, introduced by Devine, et al

Senate Bill No. 373, introduced by Turnage, Murphy

Bill concurred in as amended and returned  
to the House for concurrence  
in Senate Amendments:

2/15/77

House Bill No. 82, introduced by Pistoria, Wm. Baeth

House Amendments concurred in by the Senate:

2/15/77

House Amendments to Senate Bill No. 54

### MOTIONS

Huennekens moved that HB 567 be rereferred from Third Reading to Second Reading. Motion withdrawn.



Vincent moved that HB 633 be rereferred from Third Reading to Second Reading. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 791, introduced by Committee on State Administration. Referred to Committee on State Administration.

HB 792, introduced by Brand, Mular. Referred to Committee on Labor and Employment Relations.

HB 793, introduced by Pistoria, Conroy, O'Connell, Teague, Kenny. Referred to Committee on Local Government.

HB 794, introduced by Brand, (By Request of the Department of Administration). Referred to Committee on State Administration.

HB 795, introduced by Bardanouve, Meloy, Scully. Referred to Committee on State Administration.

HJR 72, introduced by the Committee on Education; Dussault, Chairman. Referred to Committee on Education.

HJR 73, introduced by the Committee on Public Health, Welfare and Safety; Menahan, Chairman. Referred to Committee on Education.

HJR 74, introduced by Cox, Gould, Ellison, Stobie, Barrett, Underdal. Referred to Committee on Public Health, Welfare and Safety.

HJR 75, introduced by the Committee on Natural Resources. Referred to Committee on Natural Resources.

The following Senate bills were introduced, read first time and referred to committees:

SB 145, introduced by Lockrem, Brown, Himsl, Lowe, Boylan, Mehrens, Devine, Manley. Referred to Committee on Taxation.

SB 159, introduced by Towe, (By Request of the Department of Revenue). Referred to Committee on Taxation.

SB 195, introduced by Flynn, Warden, Lowe, Healy. Referred to Committee on Natural Resources.

SB 223, introduced by Devine, Thomas, Story, Goodover, Turnage. Referred to Committee on Business and Industry.

SB 373, introduced by Turnage, Murphy. Referred to Committee on Agriculture, Livestock and Irrigation.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 50 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 184 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Moore, Smith, Stobie, Tower.

Total 4

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 196 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, J. Gunderson, Halvorson, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Brand, Cooney, Courtney, Gilligan, Hand, Hansen, Harper, Harrington, Kimble, Lynch, Mular, O'Connell, Quilici, Robbins, Ryan, Teague, Tropila.

Total 17

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 234 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Keyser, Kvaalen, Palmer, Seifert, Vinger.

Total 5

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Roth.

Total 1

House Bill No. 276 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Smith.

Total 1

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Kvaalen.

Total 1

House Bill No. 318 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 97

Noes: Lien.

Total 1

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 326 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Davis, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kvaalen, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Shelden, Teague, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 69

Noes: Aageson, Bardanouve, Bengtson, Brand, Curtiss, Dassinger, Ernst, J. Gunderson, Hansen, Hirsch, Kessler, Kropp, Lien, Manuel, Moore, Nathe, Ryan, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Underdal, Vinger, Wood, Wyrick.

Total 28

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Ellison.

Total 1

House Bill No. 337 was passed by the following vote:

Ayes: Aageson, Barrett, Bengtson, Colburn, Conroy, Cox, Curtiss, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Halvorson, Hand, Harper, Hurwitz, Johnston, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lund, McLane, Manuel, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Wood, Wyrick.

Total 54

Noes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Cooney, Courtney, Dussault, Ellis, Estenson, Fagg, Frates, Gerke, Gilligan, J. Gunderson, Hansen, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kessler, Kimble, Lory, Lynch, Marks, Meloy, Menahan, Metcalf, Mular, Palmer, Quilici, Ramirez, Shelden, South, Vincent, Waldron, Williams, Mr. Speaker.

Total 41

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Dassinger, O'Connell, Stobie.

Total 3

House Bill No. 361 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Brand, Colburn,



Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fedá, Frates, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick.

Total 78

Noes: Bardanouve, Barrett, Bradley, Cooney, Courtney, Dussault, Estenson, Fagg, Gerke, Harper, Holmes, Kimble, Lory, Meloy, Menahan, Metcalf, O'Connell, Waldron, Mr. Speaker.

Total 19

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Severson.

Total 1

House Bill No. 408 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Bardanouve.

Total 1

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 410 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 84

Noes: Bardanouve, Brand, Davis, Ellison, Feda, Hurwitz, Jensen, Kvaalen, Moore, Seifert, Smith, Underdal, Vinger, Wood.

Total 14

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 418 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Marks, Roth, Seifert, Smith.

Total 4

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 459 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: J. Gunderson.

Total 1

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 490 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick.

Total 85

Noes: Brand, Colburn, Cox, Harper, Jensen, McLane, Porter, Ramirez, Ryan, Stobie, Teague, Vinger, Mr. Speaker.

Total 13

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 494 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Conroy, Cooney, Davis, Day, Dussault, Ellerd, Ellis, Estenson, Fagg, Fedá, Frates, Gerke, Gould, J. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Manuel, Meloy, Metcalf, Meyer, Moore, Nathe, O'Keefe, Palmer, Porter, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 67

Noes: Bertelsen, Brand, Colburn, Courtney, Cox, Curtiss, Dassinger, Ellison, Ernst, Eudaily, Fabrega, Gilligan, Harrington, Jensen, Kennerly, Kenny, Kropp, Lynch, McLane, Marks, Menahan, Mular, O'Connell, Pistoria, Quilici, Ramirez, Ryan, Seifert, Tropila, Uhde.

Total 30

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Halvorson.

Total 1

House Bill No. 498 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 98

Noes: None.

Total 0

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: None.

Total 0

House Bill No. 512 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Smith, Stobie, Vinger.

Total 3

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Lynch.

Total 1

House Bill No. 518 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, McLane, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, Sivertsen, South, Teague, Tower, Tropila, Turner, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 74

Noes: Bardanouve, Barrett, Colburn, Ellison, Feda, Johnston, Lory, Lund, Manuel, Nathe, Pistoria, Roth, Seifert, Severson, Smith, Staigmiller, Stobie, Uhde, Underdal, Vinger, Wyrick.

Total 21

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Jensen, Lynch, Marks.

Total 3

House Bill No. 541 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson,



Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, South, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 86

Noes: Davis, Ellison, Kvaalen, Ryan, Seifert, Smith, Staigmiller, Turner, Vinger, Wyrick.

Total 10

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Gerke, Lynch.

Total 2

House Bill No. 546 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Cox, Lynch.

Total 2

House Bill No. 567 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Fabrega, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kennerly, Kessler, Kimble, Kvaalen, Lien, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Porter, Quilici, Robbins, Ryan, Severson, Shelden, South, Stobie, Turner, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 58

Noes: Aageson, Barrett, Conroy, Davis, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedra, Harper, Hurwitz, Johnston, Kanduch, Kenny, Keyser, Kropp, Lory, Lund, McLane, Manuel, Nathe, Pistoria,

Ramirez, Roth, Scully, Seifert, Sivertsen, Smith, Staigmiller, Teague, Tower, Tropila, Underdal, Vinger, Wood, Wyrick.  
Total 39

Excused: Burnett, E. Gunderson.  
Total 2

Absent or not voting: Lynch.  
Total 1

House Bill No. 580 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Seifert, Shelden, Staigmiller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 74

Noes: Davis, Ellerd, Ellison, Hurwitz, Kvaalen, Lory, Lund, McLane, Moore, Nathe, Porter, Roth, Scully, Severson, Sivertsen, Smith, South, Tropila, Vinger, Wyrick.  
Total 20

Excused: Burnett, E. Gunderson.  
Total 2

Absent or not voting: Hirsch, Jensen, Kropp, Lynch.  
Total 4

House Bill No. 584 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 87

Noes: Bardanouve, Brand, Colburn, Estenson, Harper, Holmes, Kessler, Metcalf, Ryan, Waldron.  
Total 10

Excused: Burnett, E. Gunderson.  
Total 2

Absent or not voting: Lynch.  
Total 1

House Bill No. 585 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Dassinger, Davis, Dussault, Ellerd,

Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kessler, Kimble, Lory, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 66

Noes: Barrett, Colburn, Conroy, Cox, Curtiss, Day, Ellison, Fedá, Hansen, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kropp, Kvaalen, Lien, Lund, McLane, Nathe, Roth, Seifert, Smith, Staigmiller, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 31

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Lynch.

Total 1

House Bill No. 589 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Gilligan, Lynch, Ramirez, Seifert.

Total 4

House Bill No. 590 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Meloy, Waldron.



Total 2

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Bengtson, Lynch.

Total 2

House Bill No. 607 was passed by the following vote:

Ayes: Ageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 89

Noes: Brand, Moore, Robbins, Seifert, Smith, Staigmiller, Mr. Speaker.

Total 7

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: R. Baeth, Lynch.

Total 2

House Bill No. 620 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: Lynch.

Total 1

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.



Bengtson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 190 be amended as follows:

1. Amend the bill, page 1.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Definitions. The definitions used in this act are intended to be consistent with those used in 10 CFR 1-199 and 49 CFR 173.389-173.399. As used in this act the following definitions apply:

(1) 'Byproduct material' means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

(2) 'Special nuclear material' means (a) plutonium, uranium-233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the United States nuclear regulatory commission determines to be special nuclear material, or (b) any material artificially enriched by any of the foregoing.

(3) 'Large quantity radioactive material' is that quantity of radioactive material defined in 49 CFR 173.389 (b).

(4) 'Disposal' means burial in soil, release through the sanitary sewerage system, incineration, or permanent long-term storage with no intention of or provision for subsequent removal.

(5) 'Person' means any individual, group, firm, partnership corporation, cooperative, association, government subdivision, government agency, local government, or other organization or entity.

Section 2. No person may dispose of in Montana large quantities of radioactive material.

Section 3. Exceptions. Byproduct material possessed, used, and transported for educational purposes, scientific research and development, medical research, diagnosis and treatment, geophysical surveying and other purposes licensed by the United States nuclear regulatory commission shall be excepted from this act during the period of possession, use, and transportation prior to disposal.

Section 4. Penalty. A person convicted of violating this act is guilty of a misdemeanor and shall be fined an amount not less than \$250 for each offense. In this act, each day of violation constitutes a separate offense.

Section 5. Exclusion. Nothing in this act precludes the construction of a nuclear facility approved under the requirements of the major facility siting act."

(68-13)

And as amended, be passed for the day.

That HB 254 be passed for the day.

Committee on Natural Resources excused at this time.

That HB 531 be placed below HB 299 on the board.

That HB 210 do pass. (75-8)

That HB 299 do pass. (84-7)

That HB 531 be amended as follows:

1. Amend title, line 4.

Following: "amending"

Strike: "sections"

Insert: "section"

2. Amend title, line 5.

Following: "50-1053"

Strike: "and 84-1319"

3. Amend title, line 6.

Following: "research"

Strike: "account and allocating  $\frac{1}{4}$  of 1% of the coal severance tax to fund it"

Insert: "program and appropriating \$200,000 for the biennium to fund it"

4. Amend page 2, section 1, line 2.

Following: "established"

Strike: "in the earmarked revenue fund"

5. Amend page 2, section 1, line 3.

Following: "research"

Strike: "account"

Insert: "program"

6. Amend page 2, section 1, line 4.

Following: "the"

Strike: "coal severance tax"

Insert: "general fund"

Following: "be"

Strike: "deposited in this account as provided in 84-1319"

Insert: "appropriated to the board to fund this program"

7. Amend page 2, section 1, lines 5 and 6.

Following: "administer"

Strike: "this account"

Insert: "these funds"

8. Amend page 2, section 2, line 10.

Following: "Section 2."

Strike: "There is a new R.C.M. section which reads as follows:

Appropriation. The following money is appropriated from the general fund to the department of state lands for the biennium ending June 30, 1979, to fund the strip-mined land reclamation research program:

	For the Fiscal Year Ending 6/30/78	For the Fiscal Year Ending 6/30/79
Department of state lands	\$100,000	\$100,000
		(79-4)

And as amended, do pass. (50-41)

That HB 355 do pass. (75-6)

That HB 389 do pass. (71-11)

That HB 472 do pass. (70-10)

That HB 521 do pass. (52-28)

That HB 529 be amended as follows:

1. Amend page 4, line 4.

Following: "(approval)"

Strike: "July"

Insert: "April" (71-3)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (76-4)

That HB 537 be amended as follows:

1. Amend title, line 6.

Strike: "municipal"

Insert: "local government" (75-0)

And as amended, do pass. (76-3)

Committee on Natural Resources present.

That HB 573 be placed below HB 760 on the board.

That HB 625 do not pass. (63-31)

That HB 626 be amended as follows:

1. Amend title, line 6.

Following: "1947"

Strike: "and"

2. Amend title, line 7.

Following: "1947"

Insert: "; and providing a contingent delayed effective date"

3. Amend page 2.

Following: line 12

Insert: "Section 3. When 29 states have enacted similar legislation, the governor shall issue a declaration of that fact. This act is effective upon the issuing of that declaration." (71-3)

And as amended, do pass. (62-35)

That HB 636 do pass. (83-3)

That HB 645 be amended as follows:

1. Amend title, line 7.

Following: "1974"

Strike: "; and providing an effective date"

2. Amend page 2, section 1, subsection (3), line 14.

Following: "issued"

Insert: "after June 30, 1977," (81-0)

And as amended, do pass. (71-12)

That HJR 1 be amended as follows:

1. Amend page 4, line 3.

Following: "conditions."

Insert: "This study should include evaluation of possible upstream tributary storage sites on federal and state lands." (87-1)

And as amended, do not pass. (54-45)

That HJR 38 be amended as follows:

1. Amend the amendment.

Strike: the amendment in its entirety (87-3)

And as amended, do pass. (89-3)

That HB 243 be passed for the day.

That HB 291 do pass. (90-0)

That HB 362 be amended as follows:

1. Amend page 2, section 1, subsection 2(e), line 18.

Following: "state tax,"

Strike: "and"

Following: "district tax"

Insert: ", and other tax" (81-0)

And as amended, do pass. (71-23)

That HB 535 be placed below HB 743 on the board.

That HB 605 do pass. (64-26)

That HB 623 do pass. (89-0)

That the committee rise and report. (Bengtson, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Brand, Chairman):

2/16/77

HB 230, introduced bill, be amended as follows:

1. Amend title, line 7.

Following: "Amending"

Strike: "section"

Insert: "sections"

Following: "35-503"

Insert: "and 35-526;"

Following: "and"

Strike: "renumbering"

Insert: "repealing"

2. Amend page 8.

Following: line 3

Insert: "Section 2. There is a new R.C.M. section numbered 82A-224 that reads as follows:

82A-224. Board of housing. (1) There is a board of housing.

(2) The board consists of seven members appointed by the governor as provided in 82A-112. The members shall be informed and experienced in housing, economics, or finance.

(3) The board shall elect a chairman and other necessary officers.

(4) The board is designated a quasi-judicial board for purposes of 82A-112.



(5) The board is allocated to the department of administration for administrative purposes only as provided in 82A-108.

(6) The department shall provide all necessary staff and services to the board and shall assess the board for reasonable costs.

Section 3. Section 35-526, R.C.M. 1947, is amended to read as follows:

'35-526. Powers of the department of community affairs. The department may:

(1) survey and investigate housing needs throughout the state and publish the results, and make recommendations to the governor and the legislature as to legislation and other measures necessary, desirable, or advisable to alleviate housing problems;

(2) maintain and disseminate information on available governmental housing assistance programs, eligibility and development requirements, and other similar information; and

(3) promote research and development in housing planning design, production, conservation, rehabilitation, and other matters relating to, or affecting the provision of decent, safe and sanitary housing in a suitable living environment."

Renumber: subsequent section

3. Amend page 8, section 2, line 5.

Following: line 4

Strike: "renumbered 82A-224"

Insert: "repealed"

And as amended, do pass. Report adopted.

## LABOR AND EMPLOYMENT RELATIONS

(Kimble, Chairman):

2/16/77

HB 296, do not pass.

HB 319, introduced copy, be amended as follows:

1. Amend page 1, section 1, line 12.

Following: "course"

Insert: "or equivalent education"

And as amended, do pass. Report adopted.

HB 420, introduced copy, be amended as follows:

1. Amend page 1, section 1, line 19.

Following: "than"

Strike: "1 1/2"

Insert: "2"

And as amended, do pass. Report adopted.

HB 458, do not pass.

HB 581, do pass. Report adopted.

HB 582, introduced copy, be amended as follows:

1. Amend title, line 5.

Following: "radios"

Strike: "and holder-chargers"

2. Amend title, line 6.

Following: "1947"

Insert: "; and providing an extended effective date"

3. Amend page 1, section 1, line 11.

Following: "radios,"

Strike: "and holder-chargers"

4. Amend page 2, section 1, line 2.

Following: "radio"

Strike: "with a holder-charger, the radio"

Insert: "in good working order,"

5. Amend page 2, section 1, line 4.

Following: "caboozes"

Insert: ", and no less than 5 watts"

6. Amend page 2, section 1.

Following: line 4

Insert: "(4) The portable radio shall be available for use on motor cars working where train may be expected to pass, except in yard tracks.

Section 2. Effective date. This act is effective on January 1, 1979."

And as amended, do pass. Report adopted.

HJR 25, do not pass.

SB 141, be concurred in. Report adopted.

On motion by O'Connell, and in accordance with the 24-hour rule, the adverse committee report on HB 600 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Curtiss, Dassinger, Day, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, J. Gunderson, Halvorson, Hand, Hansen, Hirsch, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Seifert, Severson, Shelden, Sivertsen, Staigmler, Stobie, Teague, Tower, Tropila, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 64

Noes: Colburn, Cooney, Dussault, Harper, Holmes, Huennekens, Kessler, Kimble, Kropp, Metcalf, Mular, Scully, Uhde, Waldron.

Total 14

Excused: Burnett, E. Gunderson.

Total 2

Absent or not voting: R. Baeth, Bertelsen, Courtney, Cox, Davis, Ellis, Estenson, Frates, Gerke, Gilligan, Harrington, Hurwitz, Jensen, Lien, Robbins, Roth, Smith, South, Turner, Vinger.

Total 20

On motion by Menahan, and in accordance with the 24-hour rule, the adverse committee report on HB 608 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert,

Severson, Sheldon, Sivertsen, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 80

Noes: Moore, Mular.  
Total 2

Excused: Burnett, E. Gunderson.  
Total 2

Absent or not voting: R. Baeth, Bertelsen, Courtney, Cox, Ellis, Frates, Gerke, Gilligan, Harrington, Lien, Robbins, Roth, Smith, South, Turner, Vinger.  
Total 16

### MOTIONS

Meloy moved that HB 531 and HB 355 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Underdal moved that HB 516 be rereferred from the Committee on Appropriations to the Committee on Taxation. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., February 17, 1977.

Motion carried.

House adjourned at 6:25 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## FORTIETH LEGISLATIVE DAY

Helena, Montana  
February 17, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Thirty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Considered correctly engrossed - HB 210, HB 291, HB 389, HB 472,  
HB 521, HB 605, HB 623, HB 636. 2/17/77

Will be signed by the Speaker on Adjournment, 2/17/77 - HB 64, HB 167, SB 14.

Correctly printed - HB 461, HB 652. 2/16/77

Correctly printed - HB 181, HB 195, HB 211, HB 292, HB 348,  
HB 436, HB 509, HB 577, HB 581, HB 602, HB 619, HB 699,  
HJR 41, HJR 49, HJR 54. 2/17/77

Considered correctly engrossed - HB 299. 2/17/77

Correctly enrolled - HB 64, HB 167. 2/17/77

Signed by the Speaker of the House and President of the Senate and delivered to the Governor at 9:00 a.m., 2/17/77 - HB 38, HB 44.

Examined by Sponsor and found to be correct - HB 167.

Examined by Sponsor and found to be correct - HB 64.

Objection raised by Fabrega on 2/16/77 on adverse committee report on HJR 25. Referred to Second Reading.

Objection raised by Bradley on 2/17/77 on adverse committee report on HB 296. Referred to Second Reading.

JUDICIARY (Scully, Chairman): 2/16/77

HB 273, introduced bill, be amended as follows:

1. Amend title, line 6.

Following: "within"

Strike: "8"

Insert: "10"

2. Amend page 1, section 1, line 13.

Following: "within"

Strike: "8"

Insert: "10"

And as amended, do pass. Report adopted.

HB 279, do not pass.

HB 367, do not pass.

HB 451, introduced bill, be amended as follows:

1. Amend page 4, section 1, subsection (5), line 8.

Following: "compatibility"

Strike: "and"

Insert: "or"

2. Amend page 4, section 1, subsection (5), line 9.

Following: "the"

Strike: "Montana Utility Siting Act"

Insert: "Montana Major Facility Siting Act"

And as amended, do pass. Report adopted.

HB 495, do pass. Report adopted.

HB 496, do not pass.

HB 560, do not pass.

HB 570, do pass. Report adopted.

HB 654, introduced bill, be amended as follows:

1. Amend page 2, section 1, line 7.

Following: "a"

Insert: "state-operated"

Following: "facility"

Insert: "for detention purposes"

2. Amend page 2, section 1, line 16.

Following: "a"

Insert: "state-operated"

3. Amend page 2, section 1, line 17.

Following: "purpose"

Insert: "after July 1, 1978"

4. Amend page 5, section 1.

Following: line 2

Insert: "Section 2. Alternative evaluation programs. By July 1, 1978, the department shall have developed programs for evaluations, including use of alternative facilities and community-based contracted services in lieu of the evaluations presently performed in state-operated detention facilities."

And as amended, do pass. Report adopted.

HB 713, introduced bill, be amended as follows:

1. Amend page 10, section 13, subsection (6), line 22.

Following: "coal,"

Insert: "timber,"

And as amended, do pass. Report adopted.

HB 718, do pass. Report adopted.

2/15/77

HB 719, introduced bill, be amended as follows:

2/16/77

1. Amend page 11, section 8, subsection (4), line 6.

Following: "(\$25)"

Insert: "per day"

2. Amend page 20, section 16, subsection (2), line 10.

Following: "times"

Insert: "a"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 720, do pass. Report adopted.

2/15/77

HB 734, do not pass. 2/16/77  
HB 751, do not pass. 2/16/77  
SB 26, third reading bill, be amended  
as follows: 2/7/77

1. Amend section 23, page 38, line 2.

Following: "filed"

Insert: ", with preference given to a newspaper published in the county,"

2. Amend section 23, page 38, line 11.

Following: "counties"

Insert: ", with preference given to a newspaper published in the other county or counties"

And as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/17/77

HB 86, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 22.

Following: "to"

Insert: "selectively"

2. Amend page 2, section 2, subsection (3), line 9.

Following: "(3)"

Strike: "'Intervention assumptions' means"

Insert: "'Assumptions' are meant to include"

3. Amend page 2, section 2, subsection (3), lines 10 and 11.

Following: "expenditures"

Strike: "to production of the intervention, intervention"

4. Amend page 4, section 3, subsection (10)(c), line 4.

Following: "in the"

Strike: "intervention"

5. Amend page 4, section 4, line 13.

Following: line 12

Strike: "July"

Insert: "April"

6. Amend page 4, section 4, subsection (3), line 19.

Following: "By"

Strike: "July 1"

Insert: "April 10"

7. Amend page 5, section 5, subsection (1), line 7.

Following: "and"

Strike: "intervention"

8. Amend page 5, section 5, subsection (2), line 10.

Following: "(indicators)"

Strike: "intervention"

9. Amend page 6, section 6, lines 21 and 22.

Following: "shall"

Strike: ", not later than July 1 in the year preceding the convening of the legislature,"

10. Amend page 7.

Following: line 19

Insert: "Section 7. There is a new R.C.M. section that reads as follows:

Hearings by standing subcommittee and appropriations subcommittee — recommendations. (1) Hearings shall be conducted on zero-based budgets of programs submitted pursuant to section 6 by a committee composed of a subcommittee of the standing committee, and the subcommittee of the appropriations committee, in the substantive area of the program as to be determined by the joint rules of the legislature of the state of Montana.

(2) In addition to making recommendations on the budget to the appropriations committee, the committee shall:

(a) propose legislation terminating the program at some specified time; or

(b) make recommendations as to waiver or nonwaiver of review pursuant to (section 7)\*; or

(c) both."

Renumber: subsequent sections

11. Amend page 7, section 7, subsection (1), line 24.

Following: line 24

Insert: "The review may be waived on recommendation of the committee composed of the standing committee and appropriations subcommittee."

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 118, do not pass.

HB 695, do not pass.

HB 710, do not pass.

HB 711, do pass. Report adopted.

EDUCATION (Dussault, Chairman):

2/17/77

HB 460, do pass. Report adopted.

HB 678, introduced bill, be amended as follows:

1. Amend page 2, section 3, subsection (1), line 15.

Following: "body"

Strike: "shall"

Insert: "may"

2. Amend page 4, section 5, subsection (1), line 8.

Following: "advisory"

Strike: "task force"

Insert: "council"

3. Amend page 5, section 6, line 1.

Following: "advisory"

Strike: "task force"

Insert: "council"

And as amended, do pass. Report adopted.

HB 746, do not pass.

HJR 56, do not pass.

HJR 57, do not pass.

LOCAL GOVERNMENT (Robbins, Chairman):

2/17/77

HB 229, do pass. Report adopted.



HB 287, do pass. Report adopted.  
 HB 646, do pass. Report adopted.  
 HB 671, do pass. Report adopted.  
 HB 675, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman):

2/17/77

HB 473, introduced copy, be amended as follows:

1. Amend page 2, section 3, lines 11 through 13.

Following: "consumed"

Strike: "or the formula which yields the greater amount of revenue in a particular case shall be applied in that case"

2. Amend page 3, section 5, lines 7 through 10.

Following: "plant."

Strike: line 7 through line 10

And as amended, without recommendation. Report adopted.

HB 561, introduced copy, be amended as follows:

1. Amend page 2, section 1, subsection (6), line 10.

Following: "trade"

Insert: ", and would not cause an undue economic hardship"

And as amended, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

2/17/77

HB 757, do pass. Report adopted.

On motion by Day, and in accordance with the 24-hour rule, the adverse committee report on HB 372 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Estenson, Halvorson, Harper, Holmes, Kimble, Manuel, Menahan, Mular, Tropila, Vincent.

Total 10

Excused: None.

Total 0

Absent or not voting: Brand, Burnett, Harrington, Kennerly, Palmer, Scully, Shelden.

Total 7

## MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence:

2/16/77

Senate Bill No. 84, introduced by Lowe

Senate Bill No. 150, introduced by Dunkle, et al

Senate Bill No. 174, introduced by Turnage, et al

Senate Bill No. 181, introduced by Mathers

Senate Bill No. 213, introduced by Turnage, Brown

Senate Bill No. 281, introduced by Etchart, et al

The following amendment to the Joint Rules  
passed by the Senate and transmitted  
to the House for adoption:

2/11/77

1. Amend page 32, section 6-34, line 4.

Following: "after the"

Strike: "fifty-fifth"

Insert: "eightieth"

Following: "thereof."

Insert: "Any bill, resolution or amendment that shall have passed third reading on the final day of transmittal shall be considered as having been transmitted timely."

### MOTIONS

Meloy moved that HB 141 be passed to the 44th Legislative Day.  
Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 796, introduced by Fagg, Sivertsen, Ramirez, Porter, Palmer, Kropp, Moore, Tower, Gilligan, Roth, Vincent, Ellison, McLane, Vinger, Feda, Cox, Jensen, Fabrega, Davis, Waldron, O'Keefe, Keyser, Barrett, Stobie, Dussault, Lien, Holmes, Pistoria, Menahan, Uhde, Ageson, Ernst, Marks, Meyer, Curtiss, Ellerd. Referred to Committee on Rules.

HB 797, introduced by Mular, Scully. Referred to Judiciary Subcommittee on Montana Water.

HB 798, introduced by Dussault. Referred to Committee on State Administration.

HB 799, introduced by Scully, Ellerd. Referred to Committee on Appropriations.

HB 800, introduced by Holmes, Meloy, Metcalf, Dussault, Ramirez, Fagg, Porter, Gerke. Referred to Committee on Judiciary.

HB 801, introduced by Bardanouve. Referred to Committee on State Administration.

HB 802, introduced by Committee on Labor and Employment Relations. Referred to Committee on Labor and Employment Relations.

HB 803, introduced by Ramirez, Porter, Moore, Fagg, Smith, McLane, Johnston, Keyser, Eudaily, Conroy, Seifert, Ellison, Hand. Referred to Committee on Labor and Employment Relations.

HB 804, introduced by Committee on State Administration. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time and referred to committees:

SB 84, introduced by Lowe, (By Request of the Department of Business Regulation). Referred to Committee on Business and Industry.

SB 150, introduced by Dunkle, Murray, Roskie, Dover, Story, Hager, Rasmussen, Brown. Referred to Committee on Taxation.

SB 174, introduced by Turnage, Roberts, Brown, Peterson, Devine, Stephens. Referred to Committee on State Administration.  
 SB 181, introduced by Mathers. Referred to Committee on Taxation.  
 SB 281, introduced by Etchart, Mathers, Graham. Referred to Committee on Fish and Game.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 302 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 79

Noes: Burnett, Cox, Davis, Ellerd, Ellison, Ernst, Hirsch, Johnston, Kenny, McLane, Moore, Sivertsen, Smith, Staigmilller, Tower, Underdal, Wood, Wyrick.

Total 18

Excused: None.

Total 0

Absent or not voting: Harrington, Kennerly, Palmer.

Total 3

House Bill No. 412 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kessler, Kimble, Kvaalen, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, South, Staigmilller, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 62

Noes: Aageson, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Fabrega, Feda, Gould, Hansen, Hurwitz, Kenny, Keyser, Kropp, Lund, McLane, Marks, Meyer, Moore, Nathe, Pistoria, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Teague, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 36

Excused: None.

Total 0

Absent or not voting: Harrington, Kennerly.

Total 2

House Bill No. 591 was passed by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kennerly, Stobie.

Total 2

House Bill No. 634 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Brand.

Total 1

Excused: None.

Total 0

Absent or not voting: Harper, Kennerly, Severson.

Total 3

House Bill No. 635 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Uhde, Vincent, Waldron, Williams, Mr. Speaker.



Total 74

Noes: Barrett, Brand, Burnett, Cox, Curtiss, Ellison, Fedá, Halvorson, Hand, Kenny, Lien, McLane, Moore, Ryan, Smith, Staigmillér, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vinger, Wood, Wyrick.

Total 25

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Joint Resolution No. 11 was passed by the following vote:

Ayes: Aageson, Barrett, Bengtson, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Staigmillér, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 78

Noes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Davis, Ellerd, Ellis, Gould, Halvorson, Harper, Holmes, Jensen, Kanduch, Kessler, Roth, Severson, Smith, Tower, Turner, Mr. Speaker.

Total 21

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Joint Resolution No. 24 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillér, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Lory, Roth.

Total 2

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Joint Resolution No. 40 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 84

Noes: Davis, Ellerd, Hand, Kenny, Keyser, Kropp, Moore, Roth, Smith, Stobie, Tower, Underdal, Wood, Wyrick.

Total 14

Excused: None.

Total 0

Absent or not voting: Kennerly, Porter.

Total 2

House Joint Resolution No. 43 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kennerly, Sivertsen.

Total 2

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 190 do not pass. (53-45)

That HB 254 do pass. (91-6)

That HB 566 be amended as follows:

1. Amend page 2, section 1, line 14.

Following: "sex,"

Strike: "creed"

Insert: "religion"

2. Amend page 3, section 2, subsection (2), line 5.

Following: (2)

Strike: "Each candidate required to file statements or reports with the commissioner shall be sent a copy of this form."

Insert: "The public official with whom a candidate files for public office shall transmit a copy of this form to each candidate required to file statements or reports with the commissioner."

3. Amend page 3, section 2, subsection (2), line 9.

Following: line 8

Strike: line 9 in its entirety

Insert: "signed form shall be effective for all elections in a campaign in which a candidate participates."

4. Amend page 3, section 2, subsection (2), line 10.

Following: "commissioner"

Insert: "as soon as feasible"

5. Amend page 3, section 2, subsection (3), line 12.

Following: "state"

Strike: the remainder of line 12 in its entirety

Insert: "or the city or county clerk or the clerk of a school district" (84-0)

And as amended, do pass. (55-31)

That HB 243 be placed at the bottom of the Second Reading board.

That HB 641 do pass. (88-4)

That HB 743 do pass. (70-23)

That HB 535 be amended as follows:

1. Amend title, line 5.

Following: "R.C.M."

Insert: "; and providing an immediate effective date"

2. Amend page 2, line 25.

Following: line 25

Insert: "Section 2. Effective date. This act is effective upon passage and approval." (82-1)

And as amended, do pass. (91-4)

That HB 760 do pass. (89-1)

That HB 573 be amended as follows:

1. Page 2, section 2, line 8.

Following: "the"

Before: "high"

Insert: "mean"

2. Page 2, section 2, line 14.

Following: "banks"

Insert: "to the mean high water flowline" (88-2)

And as amended, do not pass. (58-38)

That HJR 18 do pass. (78-6)

That HJR 21 do pass. (83-3)

That HJR 48 do pass. (86-2)

That HJR 51 do pass. (65-19)

That HB 633 be amended as follows:

1. Amend page 1, section 1, line 11.

Following: line 10

Insert: "for monetary damages"

2. Amend page 1.

Following: line 17

Insert: "Section 2. Reasonable attorney's fees. Reasonable attorney's fees are the customary rates for an attorney's services in the county in which trial is held, except that for the purposes of recovery under this act, such rates may not exceed fifty dollars per hour.

Section 3. Attorney's fees may not be awarded in civil actions brought or defended by a party who is represented by a legal services attorney." (83-0)

And as amended, do pass. (77-12)

That HB 158 do pass. (91-0)

That HB 197 do pass. (58-42)

That HB 208 do pass. (82-4)

That HB 251 do pass. (74-4)

That HB 260 do pass. (76-10)

That HB 338 do pass. (84-0)

That HB 339 do pass. (79-9)

That HB 349 do pass. (88-1)

That HB 356 be amended as follows:

1. Amend page 1, section 1, subsection (1), line 15.

Following: "for"

Strike: "traffic law violations"

Insert: "driving while intoxicated" (86-6)

And as amended, do pass. (46-45)

That HB 384 do pass. (87-10)

That HB 461 be amended as follows:

1. Amend title, line 9.

Following: "coroner;"

Insert: "amending Sections 16-3401, 16-3409, 95-801, and 95-802"

2. Amend title, line 9.

Following: "sections"



Insert: "16-3402,"

Following: "16-3403"

Strike: "16-3405, 16-3409, 95-801, 95-802"

3. Amend page 2, section 3, line 5.

Strike: "pathologists of the American medical association"

Insert: "pathology"

4. Amend page 2, section 6, line 18.

Strike: "governor"

Insert: "attorney general"

5. Amend page 3, section 6, line 8.

Strike: "police"

Insert: "peace"

6. Amend page 3, section 6, line 10.

Strike: "police"

Insert: "peace"

7. Amend page 3, section 6, line 22.

Following: "coroner"

Insert: "recommended by the Montana coroners association"

8. Amend page 4, section 7, line 1.

Following: "(2)"

Insert: "appoint a state medical examiner and"

9. Amend page 4, section 9, line 12.

Following: line 12

Insert: "Following dissolution of the board, the attorney general is authorized to employ such personnel as may be necessary to conduct the affairs of the division of forensic science."

10. Amend page 6, section 12, line 5.

Following: "charge"

Insert: "state,"

11. Amend page 6, section 12, line 6.

Following: "coroners"

Insert: "of this state"

12. Amend page 6, section 12, line 7.

Following: "rendered."

Insert: "Fees collected under this subsection shall be deposited in an account in the earmarked revenue fund in the state treasury and used to pay operation expenses of the laboratory."

13. Amend page 6, section 13, lines 12 through 13.

Following: "personnel"

Strike: "rendering decisions as to the dispositions of specimens; and"

Insert: ","

Following: line 13

Insert: "(3) render decisions as to the disposition of specimens; and"

Renumber: subsequent subsections

14. Amend page 6, section 14, line 20.

Following: "hearing"

Strike: "on verified charges filed at least 20 days before the hearing and served at least 20 days before the hearing"

Insert: "pursuant to 82A-1014"

15. Amend page 6, section 15, following line 23.

Strike: section 15 in its entirety

Renumber: subsequent sections

16. Amend page 8, section 17, line 9.

Strike: "(1)"

17. Amend page 8, section 17, line 15.

Strike: subsection (2) in its entirety

18. Amend page 9, section 20, following line 6.

Strike: section 21 in its entirety

Renumber: subsequent sections

19. Amend page 9, section 21, line 19.

Strike: "described in (section 14 of this act)\*"

20. Amend page 10, following line 11.

Strike: sections 24 and 25 in their entirety

Renumber: subsequent sections

21. Amend page 11, following line 2.

Insert: "Section 22. Section 16-3401, R.C.M. 1947, is amended to read as follows:

'16-3401. Coroner to hold inquest. The coroner must hold inquests, as provided in (sections 94-201-1 to 94-201-12) Title 95, chapter 8.'

Section 23. Section 16-3409, R.C.M. 1947, is amended to read as follows:

'16-3409. Inquest in case of prisoners in state prison. When a prisoner confined in the state prison shall die, the coroner of the county wherein the state prison is located may hold an inquest as provided in (sections 94-201-1 to 94-201-12) Title 95, chapter 8.'

Section 24. Section 95-801, R.C.M. 1947, is amended to read as follows:

'95-801. The office of the coroner. (When) Whenever a coroner is informed that a death (or stillbirth) was caused by other than natural causes or that a death (or stillbirth) has occurred under circumstances such as to afford a reasonable ground to suspect that the death is the result of criminal conduct(,) or when no physician or surgeon(,) licensed in the state of Montana(,) will sign a death certificate, the coroner shall make an investigation thereof. It shall be the duty of every person acquiring knowledge of such a death to report the same forthwith to the coroner of the county in which death apparently occurred. In cases where criminal conduct is suspected, the coroner shall notify the state medical examiner and one or more law enforcement agencies having jurisdiction. The law enforcement agencies so notified shall have the responsibility to investigate the case.'

Section 25. Section 95-802, R.C.M. 1947, is amended to read as follows:

'95-802. Coroner to have autopsy — when. (1) If in the opinion of the coroner an autopsy is advisable, he shall order one and shall retain a medical examiner (physician or pathologist) to perform it. A full record of the facts found shall be made on a form provided by the (Montana state board of health in duplicate) division of forensic science in triplicate, the coroner and medical examiner retaining one copy and delivering the other to the county attorney.

The right to conduct an autopsy shall include the right to retain such specimens as the (physician or pathologist) medical examiner performing the autopsy deems necessary. Performance of autopsies is within the discretion of the coroner except that the county attorney or attorney general may require one. In ordering an autopsy the coroner shall order the body to be exhumed if it has been interred.

(2) The state of Montana shall pay any expenses incurred whenever an autopsy or investigation is initiated at the request of the state medical examiner or attorney general. The county shall pay any expenses incurred whenever an autopsy or investigation is initiated at the request of the county attorney or county coroner."

Renumber: subsequent subsections

22. Amend page 11, section 27, line 9.

Following: "Sections"

Insert: "16-3402,"

Following: "16-3403,"

Strike: "16-3405, 16-3409, 95-801, 95-802," (93-0)

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by the compiler.)

And as amended, do pass. (66-31)

That HB 542 do pass. (86-7)

That HB 596 do pass. (97-0)

That HB 616 do pass. (87-0)

That HB 617 do pass. (87-0)

That HB 637 do pass. (79-8)

That HB 638 do pass. (58-37)

That HB 649 do pass. (55-36)

That the committee rise and report. (Marks, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 2/17/77

Correctly printed - HB 319.

Objection raised by Burnett on 2/17/77 on adverse committee report on HB 496. Referred to Second Reading.

Objection raised by Burnett on 2/17/77 on adverse committee report on HB 560. Referred to Second Reading.

## AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman): 2/17/77

HB 148, do pass. Report adopted.

HB 341, do not pass.

HB 342, do pass. Report adopted.

HB 669, do pass. Report adopted.

## PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman): 2/17/77

HB 523, do pass. Report adopted.

HB 676, do not pass.

HB 694, do pass. Report adopted.

HJR 62, do not pass.

HJR 66, do pass. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman):

2/17/77

HB 405, do pass. Report adopted.

HB 437, introduced bill, be amended as follows:

1. Amend page 9, section 6, subsection (6), line 1.

Following: "public view."

Insert: "The prohibition concerning approval of a new motor vehicle wrecking facility site does not apply to a facility site that has been used as such within the preceding 18 months."

2. Amend page 10, section 8, subsection (2), line 5.

Following: "than"

Strike: "\$250"

Insert: "\$50"

3. Amend page 10, section 9, subsection (2), line 25.

Following: "highway."

Insert: "If the department of highways objects to the licensing of a facility pursuant to this subsection, it shall proceed under the provisions of section 32-4520(2)."

And as amended, do pass. Report adopted.

HB 470, do not pass.

HB 471, do not pass.

HB 520, do not pass.

HB 660, do not pass.

HB 729, do not pass.

HB 764, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman):

2/17/77

HB 632, do not pass.

HB 769, introduced copy, be amended as follows:

1. Amend page 2.

Following: line 1

Insert: "Section 2. There is a new R.C.M. section numbered 32-2402.2 that reads as follows:

32-2402.2. Highway department maintenance responsibility. The department shall have the responsibility for maintenance of all public highways or portions thereof that it maintained on July 1, 1976.

Section 3. There is a new R.C.M. section numbered 32-2402.3 that reads as follows:

32-2402.3. Department maintenance agreements with local governments. The department may enter into an agreement with a local governing body to maintain portions of public highways within its boundaries upon such terms and conditions as may be agreed upon."

Renumber: subsequent sections

2. Amend page 3, section 4, line 14.

Following: line 13

Strike: "32-2407.2"

Insert: "32-2407.4"



3. Amend page 3, section 4, line 15.

Following: line 14

Strike: "32-2407.2"

Insert: "32-2407.4"

And as amended, do pass. Report adopted.

HJR 64, do pass. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman):

2/17/77

HB 247, introduced bill, be amended as follows:

1. Amend title, line 14.

Following: "11-1711,"

Strike: "and"

Insert: "11-1717,"

Following: "11-1718,"

Insert: "and 93-102,"

2. Amend page 1, section 1, line 25.

Following: "census,"

Strike: "shall"

Insert: "may"

3. Amend page 5.

Following: line 24

Insert: "Section 9. Section 11-1717, R.C.M. 1947, is amended to read as follows:

'11-1717. Appeals. (An appeal shall lie to the district court of the county in which the municipal court is established as from a judgment of justice court or police court, and the provisions of law applicable to such appeals shall apply and are hereby adopted. When the amount in controversy is less than one hundred (100.00) dollars there shall be no appeal, unless the municipal judge shall certify that a doubtful question of law is involved upon which a final decision is desirable.) (1) A party may appeal to district court from a judgment of municipal court.

(2) Appeal from a municipal court may be limited by requiring by ordinance that a minimum amount in controversy, not to exceed \$200, be met before the district court has jurisdiction to hear the appeal, except:

(a) if the judgment of the municipal court includes incarceration no minimum amount in controversy shall be required for appeal, and

(b) upon petition by an aggrieved party the district court may, in the interests of justice, accept appeal jurisdiction notwithstanding the amount in controversy.

(3) The municipal court shall establish rules for appeal to district court. The rules are subject to supreme court's rule-making and supervisory authority."

Renumber: subsequent section

4. Amend page 6.

Following: line 6

Insert: "Section 11. Section 93-102, R.C.M. 1947, is amended to read as follows:

'93-102. Courts of record. (The courts enumerated in the first three

subdivisions of the last preceding section, and only these courts, are courts of record.) The court of impeachment, the supreme court, the district courts, and municipal courts of record are courts of record.”  
Renumber: subsequent section

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman):

2/16/77

HB 532, introduced bill, be amended as follows:

1. Amend title, lines 12 through 17.

Following: “offices;”

Strike: lines 12 through 17 in their entirety

Insert: “to define judiciary; to authorize the supreme court to prepare and report a plan for implementing state funding, July 1, 1979; to suggest appropriate legislation; to establish a temporary, emergency district court fund; and to appropriate moneys to the judicial planning council and the emergency district court fund.”

2. Amend the bill, pages 1 through 25.

Strike: all of the bill following the enacting clause

Insert: “Section 1. Public policy to fund courts. (1) Beginning July 1, 1979, the operations, salaries, and other expenses of all district courts, including clerks and their employees, court reporters, youth probation officers and staffs, and other personnel of district courts shall be the financial responsibility of the state.

(2) On July 1, 1979, all supplies and equipment assigned or belonging to district courts and clerks of district courts shall be transferred to the judicial branch of state government.

(3) By December 1, 1978, the supreme court shall report to the legislature on the best means to effect smoothly and efficiently state assumption of all district court costs.

Section 2. Judicial planning council. (1) The supreme court may delegate study responsibilities to its judicial planning council.

(2) The judicial planning council shall have representatives of all levels of the judiciary, court clerks, state bar, prosecutors, defenders, probation officers, and other judicial personnel, as well as representatives from the legislative and executive branches. It shall conduct previously announced public hearings.

(3) The supreme court may provide staff for the council within appropriation limits. The chief justice may accept any federal funds that become available for courts’ planning. Adequate offices and meeting rooms shall be provided by the department of administration in the capitol complex.

Section 3. Study, scope, and product. (1) The supreme court report shall reflect consideration of the roles of youth and adult probation and parole, youth detention and incarceration, statewide defender and prosecutor systems, and nonjudicial management services for the courts, local control, and property tax relief, as well as other issues the court directs to be considered.

(2) The report shall propose a complete personnel plan that specifies compensation for various classifications and delineates lines of managerial responsibility for the nonjudicial court services.

(3) The report shall propose a system of fiscal management and accountability including:

- (a) budget procedures and deadlines;
- (b) accounting procedures for revenues and disbursements; and
- (c) economical purchasing procedures for judicial forms and equipment.

(4) The judicial branch budget request to implement the fiscal management and personnel plans on July 1, 1979, shall be presented by September 1, 1978, to the governor and legislative fiscal analyst for review prior to presentation to the 1979 legislature.

Section 4. Appropriation. There is appropriated \$100,000 from the general fund for the biennium ending June 30, 1979. All federal moneys available for court planning purposes are hereby appropriated.

Section 5. Facilities furnished by county. (1) Each county governing body shall provide and maintain adequate courtrooms, offices, and other court facilities, including janitorial services, for district courts and clerks of court and staffs.

(2) The supreme court may by interlocal agreement enter into agreements for administrative or other services and equipment use with local governments.

Section 6. There is a new R.C.M. section numbered 59-1405 that reads as follows:

59-1405. Judiciary defined. In this chapter "judiciary" means the chief justice of the supreme court, all associate justices of the supreme court, the clerk of the supreme court, and all district court judges.

Section 7. Emergency expenditure. The supreme court may authorize emergency state expenditures in support of any county's district court operations.

Section 8. Demonstrated need. Any county may certify to its sitting district judge(s) when its district court expenses have exceeded the average of the same expenses for the previous 3 years. Such certification shall include expenditures detailed for each of the 4 years involved and a sworn affidavit that the county lacks other reasonable and available resources to meet the needs of the court.

Section 9. Judicial review. The sitting district judge(s) may approve or deny the certified expenses as justifying an application to the supreme court for an emergency state expenditure to support the county's district court.

Section 10. Supreme court action. The supreme court shall establish such rules for uniform procedure as are consistent with generally accepted accounting and management principles. It may approve reasonable emergency state expenditures and it may deny unreasonable expenditures. It shall report to the legislature any such requests it receives, its disposition of those requests, and the reasons therefor.

Section 11. Maximum biennial expenditure. The supreme court is authorized to expend emergency funds from the state general fund not to exceed \$500,000 in any one biennium.

Section 12. Sunset clause. Sections 7 through 11 of this act, authorizing emergency district court expenditures, are repealed July 1, 1979, when state funding of district court costs is fully funded.

Section 13. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And as amended, do pass. Report adopted.

FISH AND GAME (Staigmilller, Chairman):

2/17/77

HB 752, do not pass.

### MOTIONS

Meloy moved that the following bills be rereferred from Engrossing to the Committee on Appropriations: HB 208, HB 461, HB 637, and HB 649. Motion carried.

Dussault moved that HJR 73 be rereferred from the Committee on Education to the Committee on Public Health, Welfare and Safety. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., February 18, 1977.

Motion carried.

House adjourned at 6:10 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FORTY-FIRST LEGISLATIVE DAY

Helena, Montana  
February 18, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father Jack Redman of Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Tower, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fortieth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

Objection raised by Palmer on 2/17/77 on adverse committee report on HB 676. Referred to Second Reading.

BILLS (Quilici, Chairman): 2/18/77

Correctly engrossed - HB 362, HB 529, HB 537, HB 626, HB 645, HJR 38.

Correctly printed - HB 230, HB 287, HB 296, HB 420, HB 460, HB 495, HB 525, HB 526, HB 527, HB 570, HB 582, HB 646, HB 671, HB 675, HB 711, HB 718, HB 720, HB 757, HJR 25.

Were signed by the Speaker on adjournment, 2/17/77 - HB 64, HB 167, SB 14.

Will be signed by the Speaker on adjournment, 2/18/77 - SB 55.

RULES (Meloy, Chairman): 2/18/77

HB 297, do pass. Report adopted.

HB 373, the amendments proposed by the Highways and Transportation Committee be permitted as being within the scope of the title. Report adopted.

HR 2, be not adopted.

STATE ADMINISTRATION (Brand, Chairman): 2/18/77

HB 63, do pass. Report adopted.

HB 424, do pass. Report adopted.

HB 515, do not pass.

HB 534, do pass. Report adopted.

HB 565, do pass. Report adopted.

HB 686, do not pass.

AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman): 2/17/77

HB 344, introduced bill, be amended as follows:

1. Amend title, lines 5 through 7.

Following: "1977;"

Strike: lines 5 through 7 in their entirety

Insert: "requiring corporations engaged in agriculture in Montana to make an annual report; and providing a penalty."

2. Amend the bill, pages 1 through 5.

Following: line 18 on page 1

Strike: pages 1 through 5

Insert: "Section 3. Report required of corporation engaged in agriculture. Any corporation engaged in agricultural production or proposing to engage in agricultural production in this state shall file with

the secretary of state an annual report on or before April 1, containing;

- (1) the name of the corporation and its place of incorporation;
- (2) the address of the registered office of the corporation in this state, the name and address of its registered agent in this state, and in the case of a foreign corporation, the address of its principal office and its place of incorporation;
- (3) the acreage and location listed by section, township, and county of each lot or parcel of land in this state owned or leased by the corporation and used for the growing of crops or the keeping or feeding of poultry or livestock during the preceding year;
- (4) the name, address, and number of shares owned by each shareholder owning 10% or more of the stock; and
- (5) the names and addresses of the officers and the members of the board of directors of the corporation.

Section 4. Violation — penalty. A corporation failing to file the report required under (section 3) or filing false information on such report is guilty of a misdemeanor and is punishable by a fine not exceeding \$1,000.

Section 5. Secretary of state to retrieve information — when. The secretary of state shall, upon request of any legislator or state agency, retrieve and compile the information obtained under this act."

And as amended, do not pass.

On motion by Kimble, and in accordance with the 24-hour rule, the adverse committee report on HB 458 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lory, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, Pistoria, Quilici, Robbins, Ryan, Severson, Shelden, South, Staigmillier, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 70

Noes: Aageson, Barrett, Conroy, Davis, Ellerd, Ernst, Johnston, Keyser, Kropp, Lien, Lund, Manuel, Meyer, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Sivertsen, Smith, Turner, Vinger, Wyrick.  
Total 24

Excused: Tower.  
Total 1

Absent or not voting: Burnett, Fagg, Gould, Palmer, Scully.  
Total 5

TAXATION (Huennekens, Chairman):  
HB 151, introduced bill, be amended as follows:

2/17/77

1. Amend title, line 8.  
Following: "1947"

Insert: “; and repealing section 84-1606, R.C.M. 1947”

2. Amend page 2, section 1, line 1.

Following: “the”

Strike: “gross”

Insert: “net”

3. Amend page 2, section 1, line 13.

Following: “(thereafter.)”

Insert: “The amount of electricity and electrical energy generated, manufactured, or produced shall be the total energy produced exclusive of generating plant use.”

4. Amend page 5, section 6, line 8.

Following: line 8

Insert: “Section 7. There is a new R.C.M. section numbered 84-1612 that reads as follows:

84-1612. Disposition of license tax money. All license taxes collected under the provisions of this act shall be deposited into the state treasury as follows:

(1) 15% of total collections to the earmarked revenue fund, to the credit of the major facility siting earned revenue account; and

(2) 85% of total collections to the credit of the general fund of the state.”

Renumber: subsequent section

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 728, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: “of a”

Insert: “dependent”

2. Amend page 1, section 1, line 11.

Following: “a”

Insert: “dependent”

3. Amend page 1, section 1, subsection (1), line 13.

Following: “exemption”

Strike: “of \$1,000”

Insert: “for twice the amount allowed for dependents”

4. Amend page 1, section 1, subsection (1), line 14.

Following: “each”

Insert: “dependent”

5. Amend page 1, section 1, subsection (2), line 16.

Following: “a”

Insert: “dependent”

6. Amend page 1, section 1, subsection (2), line 19.

Following: “taxpayer.”

Insert: “A dependent child of any age with a handicap may be eligible for this exemption.”

And as amended, do pass. Report adopted.

HB 737, introduced bill, be amended as follows:

1. Amend page 10, section 1, line 6.

Following: "trailer"

Strike: ", "

2. Amend page 10, section 1, line 9.

Following: "older"

Insert: "who is essentially retired from full employment and"

3. Amend page 10, section 1, line 10.

Following: "sources"

Strike: "is not more than \$8,000 for a single person or \$10,000 for a married couple"

Insert: "does not exceed the income limitations set in class eight of this section for a single person or married couple, whichever is applicable"

And as amended, do pass. Report adopted.

### **SPECIAL ORDERS OF THE DAY**

The Speaker appointed Representatives Dussault and Gilligan to escort the Honorable Lee Metcalf, United States Senator, to the rostrum. The Speaker introduced Senator Metcalf who gave a brief address to the assembly.

### **MESSAGES FROM THE OTHER HOUSE**

Bills passed by the Senate and transmitted  
to the House for concurrence:

2/17/77

Senate Bill No. 115, introduced by Towe

Senate Bill No. 147, introduced by Graham

Senate Bill No. 149, introduced by Hazelbaker, (by request)

Senate Bill No. 156, introduced by Murray, Turnage, Goodover

Senate Bill No. 170, introduced by Turnage, Hazelbaker, Boylan

Senate Bill No. 171, introduced by Dunkle

Senate Bill No. 204, introduced by Turnage, et al

Senate Bill No. 224, introduced by Story, et al

Senate Bill No. 260, introduced by Dunkle

Senate Bill No. 262, introduced by Devine, et al, (by request)

Senate Bill No. 274, introduced by Turnage, et al

Senate Bill No. 321, introduced by Graham

Senate Bill No. 322, introduced by Graham

Senate Bill No. 331, introduced by Lensink, Warden

Senate Bill No. 346, introduced by Thomas, Lensink

Senate Bill No. 377, introduced by Devine, (by request)

Senate Bill No. 396, introduced by Turnage, Murray, Roberts

Senate Bill No. 397, introduced by Turnage, et al

### **MOTIONS**

Scully moved that HB 461 be rereferred from the Committee on Appro-



priations and placed at the bottom of the Second Reading board today. Motion carried.

Conroy moved that consideration of HB 577 be passed until the 43rd Legislative Day. Motion carried.

Fagg moved that HB 373 be rereferred from the Committee on Rules to the Committee on Highways and Transportation. Motion carried.

Meloy moved that HB 211 and HB 602 be passed this Legislative Day. Motion carried.

### REPORTS OF STANDING COMMITTEES

Objection raised by J. Gunderson on 2/18/77 on adverse committee report on HB 344. Referred to Second Reading.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were accepted for introduction on the 18th Legislative Day, read first time and referred to committees:

HB 805, introduced by Public Health, Welfare and Safety Committee; Menahan, Chairman. Referred to Committee on Public Health, Welfare and Safety.

HB 806, introduced by Dassinger, Brand, Mular, Day, Feda, Cox. Referred to Committee on Business and Industry.

HB 807, introduced by Kimble, Halvorson, Uhde, W. Baeth, Shelden, R. Baeth, Johnston. Referred to Committee on Appropriations.

HB 808, introduced by Committee on Rules. Referred to Committee on Rules.

HB 809, introduced by Judiciary Committee; Scully, Chairman. Referred to Judiciary Subcommittee on Montana Water.

HB 810, introduced by Judiciary Subcommittee on Montana Water; Day, Chairman. Referred to Judiciary Subcommittee on Montana Water.

HB 811, introduced by Judiciary Subcommittee on Montana Water; Day, Chairman. Referred to Judiciary Subcommittee on Montana Water.

HB 812, introduced by Judiciary Subcommittee on Montana Water; Day, Chairman. Referred to Judiciary Subcommittee on Montana Water.

HB 813, introduced by Lory. Referred to Committee on Appropriations.

HB 814, introduced by Judiciary Subcommittee on Montana Water; Day, Chairman. Referred to Judiciary Subcommittee on Montana Water.

HB 815, introduced by Labor Committee. Referred to Committee on Labor and Employment Relations.

HB 816, introduced by the Education Committee; Dussault, Chairman. Referred to Committee on Education.

HB 817, introduced by Teague, Meloy. Referred to Committee on Taxation.

HJR 76, introduced by Committee on Highways and Transportation; W. Baeth, Chairman. Referred to Committee on Highways and Transportation.

HJR 77, introduced by Brand, Mular. Referred to Committee on Business and Industry.

HJR 78, introduced by State Administration Committee. Referred to Committee on State Administration.

HJR 79, introduced by State Administration Committee. Referred to Committee on State Administration.

HJR 80, introduced by Mular, Scully. Referred to Judiciary Subcommittee on Montana Water.

HJR 81, introduced by Judiciary Subcommittee on Montana Water; Day, Chairman, (By Request of the Department of Natural Resources and Conservation). Referred to Judiciary Subcommittee on Montana Water.

HJR 82, introduced by Fish and Game Committee. Referred to Committee on Fish and Game.

HJR 83, introduced by Natural Resources Committee. Referred to Committee on Natural Resources.

HJR 84, introduced by Committee on Education; Dussault, Chairman. Referred to Committee on Education.

HJR 85, introduced by Uhde, Kimble, Driscoll, Cooney, Roth, Moore, Vincent, McLane, Brand, Conroy, Courtney, Ryan, Hand, Metcalf, O'Connell, Staigmler, Bardanouve, Ageson, Davis, Halvorson, Lund, Meyer, Eudaily, Hansen, Dussault, Smith, Barrett, Waldron, Ramirez, Lynch, Kessler, Underdal, Huennekens. Referred to Committee on State Administration.

HJR 86, introduced by Appropriations Committee (Agency I). Referred to Committee on Public Health, Welfare and Safety.

The following Senate bills were introduced, read first time and referred to Committees:

SB 115, introduced by Towe. Referred to Committee on Judiciary.

SB 147, introduced by Graham, (By Request of the Department of Highways). Referred to Committee on Highways and Transportation.

SB 149, introduced by Hazelbaker, (By Request of the Montana Board of Crime Control). Referred to Committee on Judiciary.

SB 156, introduced by Murray, Turnage, Goodover. Referred to Committee on Judiciary.

SB 170, introduced by Turnage, Hazelbaker, Boylan. Referred to Committee on Business and Industry.

SB 171, introduced by Dunkle. Referred to Committee on State Administration.

SB 204, introduced by Turnage, Roberts, Peterson, Hazelbaker. Referred to Committee on State Administration.

SB 224, introduced by Story, Devine, Manley, Peterson, Dover, Boylan, Lowe, Lockrem, Galt, Healy. Referred to Committee on Natural Resources.

SB 260, introduced by Dunkle. Referred to Committee on State Administration.

SB 262, introduced by Devine, Manley, Thiessen, (By Request of the Department of Administration). Referred to Committee on Judiciary.

SB 274, introduced by Turnage, Hazelbaker, Dunkle, Roberts, Blaylock, Peterson. Referred to Committee on State Administration.

SB 321, introduced by Graham. Referred to Committee on Highways and Transportation.

SB 322, introduced by Graham. Referred to Committee on Highways and Transportation.

SB 331, introduced by Lensink, Warden. Referred to Committee on Public Health, Welfare and Safety.

SB 346, introduced by Thomas, Lensink. Referred to Committee on Judiciary.

SB 377, introduced by Devine, (By Request of the Department of Administration). Referred to Committee on State Administration.

SB 396, introduced by Turnage, Murray, Roberts. Referred to Committee on Judiciary.

SB 397, introduced by Turnage, Murray, Roberts, Towe. Referred to Committee on Judiciary.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 210 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Burnett, Gould, Kennerly, Staigmillier, Stobie.

Total 5

Excused: Tower.

Total 1

Absent or not voting: Gerke, Mular.

Total 2

House Bill No. 291 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Tower.

Total 1

Absent or not voting: Gerke, Severson, Underdal.

Total 3

House Bill No. 299 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper,



Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 95

Noes: Moore, Smith, Stobie.  
Total 3

Excused: Tower.  
Total 1

Absent or not voting: Gerke.  
Total 1

House Bill No. 389 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Tropila, Turner, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 87

Noes: Estenson, McLane, Manuel, Porter, Ramirez, Smith, Stobie, Teague, Uhde, Vinger, Wyrick.  
Total 11

Excused: Tower.  
Total 1

Absent or not voting: Gerke.  
Total 1

House Bill No. 472 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.  
Total 85

Noes: Burnett, Feda, McLane, Ryan, Smith, Stobie, Teague, Turner, Underdal, Vinger, Wood, Wyrick.  
Total 12



Excused: Tower.

Total 1

Absent or not voting: Day, Gerke.

Total 2

House Bill No. 521 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bradley, Colburn, Conroy, Cooney, Courtney, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 74

Noes: Bardanouve, Barrett, Bertelsen, Brand, Burnett, Cox, Curtiss, Dassinger, Ellison, Feda, Hansen, Kvaalen, McLane, Moore, Ramirez, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Turner, Underdal, Wood, Wyrick.

Total 25

Excused: Tower.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 605 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bertelsen, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Wood, Mr. Speaker.

Total 72

Noes: Aageson, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Dussault, Ellison, Eudaily, Gerke, Harper, Hirsch, Huennekens, Kennerly, Kessler, Kimble, Kropp, Lien, Nathe, Porter, Severson, Sivertsen, South, Waldron, Williams, Wyrick.

Total 27

Excused: Tower.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 623 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould,

E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Tower.

Total 1

Absent or not voting: Day.

Total 1

House Bill No. 636 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 93

Noes: Bardanouve, Ryan, Smith, Staigmiller, Underdal, Wyrick.

Total 6

Excused: Tower.

Total 1

Absent or not voting: None.

Total 0

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Dussault in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 652 do pass. (60-32)

That HB 653 do pass. (66-26)

That HB 666 be amended as follows:

1. Amend page 4, section 3, line 12.

Following: "through"

Strike: "fourth"

Insert: "third"

2. Amend page 4, section 3, line 13.

Following: "pupil"

Strike: "a year"

Insert: "every two years"

3. Amend page 4, section 3, line 14.

Following: "1,"

Strike: "1977"

Insert: "1979" (69-17)

And as amended, do not pass. (80-16)

That HJR 19 do pass. (89-0)

That HJR 44 do not pass. (50-46)

Underdal excused at this time.

That HJR 45 do pass. (69-8)

That the committee rise and report and beg leave to sit again. (Dussault, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

EDUCATION (Dussault, Chairman):

2/18/77

HB 378, introduced bill, be amended as follows:

1. Amend page 2, section 1, subsection (1)(b), lines 12 and 13.

Following: "of"

Strike: "thirty-five cents (\$.35)"

And as amended, do pass. Report adopted.

HB 707, introduced bill, be amended as follows:

1. Amend page 4, section 2, subsection (7), line 22.

Following: "(7)"

Strike: "Hays-Lodgepole School District #50"

Insert: "Intertribal Education Center, Inc."

And as amended, do not pass.

HJR 30, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman):

2/18/77

HB 400, do not pass.

HB 447, introduced bill, be amended as follows:

1. Amend page 2, section 1.

Following: line 8

Insert: "(4) When the registrar has completed cancellation of voters as provided in this section, a notice of cancellation shall be published once a week for two weeks in a newspaper of general circulation in the county. The notice shall be run R.O.P. in a display advertisement and shall be in a form prescribed by the secretary of state."

And as amended, do pass. Report adopted.

HB 587, introduced bill, be amended as follows:

1. Amend page 2, section 1, line 2.

Following: "(section)"

Insert: "68-1607 and"

2. Amend page 2, section 1.

Following: line 2

Insert: "(3) The provisions of 68-1602(8) do not prohibit participation in the public employees' retirement system by members of the Montana national guard."

And as amended, do pass. Report adopted.

HB 741, introduced bill, be amended as follows:

1. Amend title, page 1, line 7.

Strike: "transfer between such system and"

Insert: "continuation in that system or in"

2. Amend page 6, section 7, line 22.

Following: "system"

Insert: "by filing a written election of intent with the board no later than August 1, 1977, or no later than 30 days after transfer to the new position, whichever is later"

3. Amend page 7, section 7, line 1.

Following: "may"

Strike: "retain"

Insert: "continue"

4. Amend page 7, section 7, line 2.

Following: "system"

Insert: "by filing a written election of intent with the board no later than August 1, 1977, or no later than 30 days after transfer to the new position, whichever is later"

And as amended, do pass. Report adopted.

HB 765, introduced bill, be amended as follows:

1. Amend page 16, section 5, subsection (1)(a), line 14.

Following: "part-time service"

Strike: "totaling at least"

Insert: "in"

Following: "30"

Insert: "or more"

And as amended, do pass. Report adopted.

HJR 65, do pass. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman)

2/18/77

HB 704, do not pass.

## REPORTS OF STANDING COMMITTEES

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HJR 56 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, E. Gunderson, Hand, Hansen, Harrington, Hirsch, Jensen, Kanduch, Kenny, Kessler, Kvaalen, Lien, Lory, Lund, Lynch, Manuel,



Menahan, Meyer, Nathe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Seifert, Severson, Shelden, Staigmiller, Teague, Turner, Vincent, Vinger, Williams, Wood, Mr. Speaker.

Total 59

Noes: Harper, Huennekens, Kimble, Metcalf, Mular, Ryan, Uhde, Waldron.

Total 8

Excused: Tower, Underdal.

Total 2

Absent or not voting: Brand, Burnett, Cooney, Davis, Ellerd, Fabrega, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Holmes, Hurwitz, Johnston, Kennerly, Keyser, Kropp, McLane, Marks, Meloy, Moore, O'Connell, O'Keefe, Roth, Scully, Sivertsen, Smith, South, Stobie, Tropila, Wyrick.

Total 31

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HJR 57 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gould, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Kanduch, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: E. Gunderson, Harper, Uhde, Vincent.

Total 4

Excused: Tower, Underdal.

Total 2

Absent or not voting: Bardanouve, Burnett, Colburn, Cooney, Fabrega, Gerke, Gilligan, J. Gunderson, Halvorson, Holmes, Johnston, Kennerly, Kropp, McLane, Moore, O'Keefe, Palmer, Roth, South, Waldron.

Total 20

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on HB 746 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Gould, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, O'Connell, Palmer, Pistoria, Quilici, Ramirez, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Aageson, Frates, E. Gunderson, Mular, Nathe, Porter, Robbins, Scully, Stobie.

Total 9

Excused: Tower, Underdal.

Total 2

Absent or not voting: Burnett, Colburn, Cooney, Fabrega, Gerke, Gilligan, J. Gunderson, Halvorson, Holmes, Johnston, Kropp, Meyer, Moore, O'Keefe, Roth, South.

Total 16

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 279 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 84

Noes: None.

Total 0

Excused: Tower, Underdal.

Total 2

Absent or not voting: Colburn, Cooney, Ellerd, Fabrega, Gilligan, Halvorson, Holmes, Johnston, Kropp, O'Keefe, Pistoria, Robbins, South. Mr. Speaker.

Total 14

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 367 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Sheldon, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Tower, Underdal.

Total 2

Absent or not voting: Colburn, Cooney, Ellerd, Fabrega, Gilligan, Halvorson, Holmes, Kropp, O'Keefe, Seifert, Severson, South.

Total 12

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 734 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Severson, Sheldon, Sivertsen, Smith, Staigmillier, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 73

Noes: Aageson, Barrett, Burnett, Fagg, Manuel, Meyer, Moore, Robbins, Roth, Stobie, Turner, Wood.

Total 12

Excused: Tower, Underdal.

Total 2

Absent or not voting: Colburn, Cooney, Davis, Ellerd, Ellis, Fabrega, Gilligan, Halvorson, Holmes, Kropp, O'Keefe, Seifert, South.

Total 13

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 751 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, E. Gunderson, J. Gunderson, Hand, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Quilici, Roth, Severson, Sheldon, Sivertsen, Smith, Staigmillier, Stobie, Teague, Turner, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 71

Noes: Brand, Burnett, Gould, Hansen, Harper, Holmes, Kenny, McLane, Manuel, Porter, Ramirez, Robbins, Ryan, Scully, Uhde.

Total 15

Excused: Tower, Underdal.

Total 2

Absent or not voting: Colburn, Cooney, Ellerd, Ellis, Fabrega, Gilligan, Halvorson, Kropp, O'Keefe, Seifert, South, Tropila.

Total 12

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 118 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Brand, Conroy, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellison, Eudaily, Frates, Gerke, E. Gunderson, J. Gunderson, Halvorson, Hand, Harrington, Hirsch, Holmes, Kanduch, Kennerly, Kenny, Kessler, Kropp, Lien, Lory, Lynch, McLane, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Severson, Sheldon, Sivertsen, Smith, Staigmillier, Teague, Turner, Williams, Mr. Speaker.

Total 49

Noes: Aageson, Barrett, Bertelsen, Bradley, Burnett, Davis, Ernst, Estenson, Fagg, Feda, Gould, Hansen, Harper, Huennekens, Jensen,



Johnston, Keyser, Kimble, Kvaalen, Lund, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, Porter, Ramirez, Stobie, Uhde, Vincent, Vinger, Waldron, Wood, Wyrick.

Total 37

Excused: Tower, Underdal.

Total 2

Absent or not voting: Colburn, Cooney, Ellerd, Ellis, Fabrega, Gilligan, Hurwitz, Mular, Scully, Seifert, South, Tropila.

Total 12

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 695 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Severson, Sheldon, Sivertsen, Smith, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Dussault, Harper, Kessler, Metcalf, Waldron.

Total 5

Excused: Tower, Underdal.

Total 2

Absent or not voting: Colburn, Cooney, Ellerd, Ellis, Fabrega, Gilligan, Mular, Scully, Seifert, South.

Total 10

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 710 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Marks, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Severson, Sheldon, Sivertsen, Smith, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 71

Noes: Bradley, Dussault, Estenson, Hansen, Harper, Huennekens, Kennerly, Keyser, Kvaalen, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Ramirez, Vincent, Wyrick.

Total 19

Excused: Tower, Underdal.

Total 2

Absent or not voting: Colburn, Cooney, Ellerd, Ellis, Gilligan, Scully, Seifert, South.

Total 8



**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Dussault in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 52 do pass. (87-0)

That HJR 53 do pass. (88-4)

That HJR 68 do pass. (72-23)

That HB 243 be amended as follows:

1. Amend page 1, section 1, subsection (1), line 22.

Following: "employment"

Insert: ", provided he or she qualifies for automobile insurance" (88-0)

And be further amended:

2. Amend page 1, section 1, subsection (2), line 25.

Following: "issued."

Insert: "The court shall not issue a special permit following a second or subsequent conviction within five years of the first conviction." (86-0)

And as amended, do pass. (78-16)

That HB 181 be passed for the day.

That HB 195 do pass. (59-35)

That HB 292 do pass. (92-1)

That HB 319 do pass. (83-7)

That HB 348 be amended as follows:

1. Amend title, line 10.

Following: "purposes"

Insert: ", and providing an effective date"

2. Amend page 2, section 1, subsection (2), line 16.

Following: "educators"

Strike: "is"

Insert: "are"

3. Amend page 2, section 1, line 24.

Following: "otherwise"

Insert: ",

4. Amend page 3, section 1, subsection (3), line 9.

Following: "of"

Strike: "education"

Insert: "educational"

5. Amend page 3, section 1, subsection (5), line 17.

Following: line 16  
 Strike: "subdivisons"  
 Insert: "subdivisions"

6. Amend page 5, section 1, subsection (6), line 25.  
 Following: "report"  
 Strike: "no"  
 Insert: "not"  
 Following: "less"  
 Strike: "frequently"

7. Amend page 6, section 1, line 5.  
 Following: "or"  
 Strike: "regulations"  
 Insert: "regulation"

8. Amend page 6, section 1, subsection (1), line 19.  
 Following: "agreement,"  
 Insert: "and"

9. Amend page 8, section 1, line 9.  
 Following: "agreement"  
 Strike: "shall be"  
 Insert: "is"  
 Following: "held"  
 Insert: "to be"

10. Amend page 8, section 2, line 18.  
 Following: "the"  
 Strike: "state" (82-6)

And as amended, do pass. (85-9)

That HB 436 do pass. (80-12)

That HB 509 be amended as follows:

1. Amend page 12, section 6, line 8.  
 Following: "board"  
 Strike: "."  
 Insert: "; and"

2. Amend page 12, section 6.  
 Following: line 8

Insert: "(3) A copy of each purchaser's sheet to the department of livestock." (88-0)

And as amended, do pass. (74-23)

That HB 581 do pass. (80-18)

That HB 619 be amended as follows:

1. Amend page 2, section 1, line 6.  
 Following: "(1947)"  
 Strike: "68-1704"  
 Insert: "68-2504"

2. Amend page 2, section 1, line 6.  
 Following: "68-1704."

Insert: "The district may levy a special tax to pay its contribution to the public employees retirement system under the conditions prescribed in 68-1704." (89-0)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (85-6)

That HB 699 do pass. (52-42)

That HJR 49 do pass. (91-0)

That HJR 54 do pass. (92-0)

That HB 461 be amended as follows:

1. Amend title, line 9.

Following: "coroner;"

Insert: "amending sections 16-3401, 16-3409, 95-801, and 95-802"

2. Amend title, line 9.

Following: "sections"

Insert: "16-3402,"

Following: "16-3403"

Strike: "16-3405, 16-3409, 95-801, 95-802"

3. Amend page 2, section 3, line 5.

Strike: "pathologists of the American medical association"

Insert: "pathology"

4. Amend page 2, section 6, line 18.

Strike: "governor"

Insert: "attorney general"

5. Amend page 3, section 6, line 8.

Following: "and"

Strike: "police"

Insert: "peace"

6. Amend page 3, section 6, line 10.

Following: "and"

Strike: "police"

Insert: "peace"

7. Amend page 3, section 6, line 22.

Following: "coroner"

Insert: "recommended by the Montana coroners association"

8. Amend page 4, section 7, line 1.

Following: "(2)"

Insert: "appoint a state medical examiner and"

9. Amend page 4, section 9, line 12.

Following: line 12

Insert: "Following dissolution of the board, the attorney general is authorized to employ such personnel as may be necessary to conduct the affairs of the division of forensic science."

10. Amend page 6, section 12, line 5.

Following: "charge"

Insert: "state,"

11. Amend page 6, section 12, line 6.

Following: "coroners"

Insert: "of this state"

12. Amend page 6, section 12, line 7.

Following: "rendered."

Insert: "Fees collected under this subsection shall be deposited in an

account in the earmarked revenue fund in the state treasury and used to pay operation expenses of the laboratory.”

13. Amend page 6, section 13, subsection (2), lines 12 through 13.

Following: “personnel”

Strike: “rendering decisions as to the dispositions of specimens; and”

Insert: “,”

Following: line 13

Insert: “(3) render decisions as to the disposition of specimens; and”

Renumber: subsequent subsection

14. Amend page 6, section 14, line 20.

Following: “hearing”

Strike: “on verified charges filed at least 20 days before the hearing and served at least 20 days before the hearing”

Insert: “pursuant to 82A-1014”

15. Amend page 6, section 15, line 23 through line 5 on page 8.

Strike: section 15 in its entirety

Renumber: subsequent sections

16. Amend page 8, section 17, line 9.

Following: “disposition.”

Strike: “(1)”

17. Amend page 8, section 17, line 15.

Strike: subsection (2) in its entirety

18. Amend page 9, section 20, lines 7 through 13.

Following: line 6

Strike: section 20 in its entirety

Renumber: subsequent sections

19. Amend page 9, section 21, line 19.

Strike: “described in (section 15 of this act)”\*

20. Amend page 10, line 12 through line 2 on page 11.

Following: line 11 on page 10

Strike: sections 24 and 25 in their entirety

Renumber: subsequent sections

21. Amend page 11.

Following: line 2

Insert: “Section 22. Section 16-3401, R.C.M. 1947, is amended to read as follows:

‘16-3401. Coroner to hold inquest. The coroner must hold inquests, as provided in (sections 94-201-1 to 94-201-12) Title 95, chapter 8.’

Section 23. Section 16-3409, R.C.M. 1947, is amended to read as follows:

‘16-3409. Inquest in case of prisoners in state prison. When a prisoner confined in the state prison shall die, the coroner of the county wherein the state prison is located may hold an inquest as provided in (sections 94-291-1 to 94-201-12) Title 95, chapter 8.’

Section 24. Section 95-801, R.C.M. 1947, is amended to read as follows:

‘95-801. The office of the coroner. (When) Whenever a coroner is informed that a death (or stillbirth) was caused by other than natural causes or that a death (or stillbirth) has occurred under circumstances such as to afford a reasonable ground to suspect that the



death is the result of criminal conduct(,) or when no physician or surgeon(,) licensed in the state of Montana(,) will sign a death certificate, the coroner shall make an investigation thereof. It shall be the duty of every person acquiring knowledge of such a death to report the same forthwith to the coroner of the county in which death apparently occurred. In cases where criminal conduct is suspected, the coroner shall notify the state medical examiner and one or more law enforcement agencies having jurisdiction. The law enforcement agencies so notified shall have the responsibility to investigate the case.'

Section 25. Section 95-802, R.C.M. 1947, is amended to read as follows:

'95-802. Coroner to have autopsy — when. (1) If in the opinion of the coroner an autopsy is advisable, he shall order one and shall retain a medical examiner (physician or pathologist) to perform it. A full record of the facts found shall be made on a form provided by the (Montana state board of health in duplicate) division of forensic science in triplicate, the corner and medical examiner retaining one copy and delivering the other to the county attorney. The right to conduct an autopsy shall include the right to retain such specimens as the (physician or pathologist) medical examiner performing the autopsy deems necessary. Performance of autopsies is within the discretion of the coroner except that the county attorney or attorney general may require one. In ordering an autopsy the coroner shall order the body to be exhumed if it has been interred.

(2) The state of Montana shall pay any expenses incurred whenever an autopsy or investigation is initiated at the request of the state medical examiner or attorney general. The county shall pay any expenses incurred whenever an autopsy or investigation is initiated at the request of the county attorney or county coroner."

Renumber: subsequent sections

22. Amend page 11, section 27, line 9.

Following: "sections"

Insert: "16-3402,"

Following: "16-3403,"

Strike: "16-3405, 16-3409, 95-801, 95-802," (86-0)

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. (77-7)

That the committee rise and report. (Dussault, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

2/18/77

Considered correctly engrossed - HB 158, HB 251, HB 254, HB 260, HB 338, HB 339, HB 349, HB 384, HB 617, HB 637, HB 638, HB 641, HB 743, HB 760, HJR 18, HJR 21, HJR 48, HJR 51.

Correctly printed - HB 148, HB 405, HB 496, HB 560, HB 678, HB 694, HB 713.

STATE ADMINISTRATION (Brand, Chairman):

2/18/77

HB 726, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (2), line 18.  
Following: "being"  
Strike: "vacated"  
Insert: "no longer needed"  
Following: "by the"  
Strike: "department"  
Insert: "state"

2. Amend page 1, section 1, subsection (2), line 19.  
Following: line 18  
Strike: "institutions"  
Insert: "Montana"

And as amended, do pass. Report adopted.

## PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

HB 307, introduced copy,  
be amended as follows:

2/17/77

1. Amend title, line 7.  
Following: "amending"  
Strike: "section 82A-601, R.C.M. 1947; and repealing section 82A-608"  
Insert: "sections 82A-601 and 82A-608"
2. Amend page 1, section 1, line 17.  
Following: "82A-106"  
Insert: ", and in addition shall have the qualifications required in section 82A-608"
3. Amend page 1, section 2, line 19.  
Following: "Section 2."  
Strike: "Repealer."
4. Amend page 1, section 2.  
Following: line 19  
Strike: "repealed"  
Insert: "amended to read as follows:

'82A-608. Director of health and environmental sciences — qualifications. The director of health and environmental sciences shall:

(1) Have a degree of doctor of medicine.

((2) Have successfully completed at least one (1) year of graduate study in an approved school of public health.

(3) Have had at least two (2) years' experience as a full time public health officer.

(4))(2) Be eligible for a license by the board of medical (doctors) examiners.

((5))(3) Receive a license from the board of medical (doctors) examiners not later than (six (6)) months after his appointment."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 371, introduced copy, be amended as follows:

2/18/77

1. Amend title, lines 4 through 9.  
Following: "provide"

Strike: lines 4 through 9 in their entirety

Insert: "for a definition of death."

2. Amend pages 1 through 2, lines 12 through 25 on page 1 and lines 1 through 14 on page 2.

Following: "death."

Strike: pages 1 through 2

Insert: "A human body with irreversible cessation of total brain function as determined according to usual and customary standards of medical practice, is dead for all legal purposes."

And as amended, do pass. Report adopted.

HB 480, introduced copy, be amended as follows:

2/17/77

1. Amend page 7, section 4, line 7.

Following: line 6

Strike: "recommended"

2. Amend page 7, section 4, line 8.

Following: "(includes)"

Strike: "shall"

Insert: "may"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 544, introduced copy, be amended as follows:

2/18/77

1. Amend page 4, section 7, line 12.

Following: "(3),"

Strike: "or"

Following: "(4)"

Insert: ", or (5)"

And as amended, do pass. Report adopted.

HB 658, introduced copy, be amended as follows:

2/18/77

1. Amend title, line 8.

Following: "10-1249,"

Strike: "38-210,"

2. Amend title, line 9.

Following: "1947,"

Insert: "repealing section 38-210;"

3. Amend page 2, section 2, line 9.

Following: "expenses"

Insert: ", as budgeted,"

4. Amend page 2, section 2, line 17.

Following: "institution,"

Insert: "as budgeted,"

5. Amend page 9, section 3, lines 17 through 21.

Following: line 16

Strike: lines 17 through 21 in their entirety

6. Amend page 10, section 4, line 25.

Following: "resident or"

Insert: "financially"

7. Amend page 13, section 7, line 7.

Following: "review"

Strike: "no later than January 1, 1978"

Insert: "within 1 year from the effective date of rules made under this act for ability to pay determinations and assessments"

8. Amend page 13, section 8, line 8.

Following: line 7

Strike: section 8 in its entirety

Re-number: subsequent sections

9. Amend page 16.

Following: line 24

Insert: "Section 12. Section 38-210, R.C.M. 1947, is repealed."

Re-number: subsequent section

And as amended, do pass. Report adopted.

HB 709, introduced copy, be amended as follows:

2/18/77

1. Amend title, line 4.

Following: "to"

Strike: "repeal"

Insert: "delete portions of"

2. Amend page 1, section 1, line 9.

Following: "Section 1."

Strike: "Repealer."

Following: line 9

Strike: "repealed."

Insert: "amended to read as follows:

'40-3909. Dependents' coverage. Any group life policy issued under section 40-3902 (employee groups), or 40-3903 (labor union groups) or 40-3904 (trustee groups) may be extended to insure the employees or members against loss due to the death of their spouses and minor children, or any class or classes thereof, subject to the following requirements:

(1) The premium for the insurance shall be paid by the policyholder, either from the employer's or union's funds or funds contributed by the employer or union, or from funds contributed by the insured employees or members, or from both. If any part of the premium is to be derived from funds contributed by the insured employees or members, the insurance with respect to spouses and children may be placed in force only if at least seventy-five per cent (75%) of the then eligible employees or members, excluding any as to whose family members evidence of insurability is not satisfactory to the insurer, elect to make the required contribution. If no part of the premium is to be derived from funds contributed by the employees or members, all eligible employees or members, excluding any as to whose family members evidence of insurability is not satisfactory to the insurer, must be insured with respect to their spouses and children.

(2) The amounts of insurance must be based upon some plan precluding individual selection either by the employees or members or by the policyholder, employer or union, and shall not exceed, with respect to any spouse or child, the amount shown in the following schedule:).

(Age of Family Member  
at Death  
Under 6 months

Maximum Amount  
of Insurance  
\$ 100



6 months and under 2 years	200
2 years and under 3 years	400
3 years and under 4 years	600
4 years and under 5 years	800
5 years and over	1,000)

(3) Upon termination of the insurance with respect to the members of the family of any employee or member by reason of the employee's or member's termination of employment, termination of membership in the class or classes eligible for coverage under the policy, or death, the spouse shall be entitled to have issued by the insurer, without evidence of insurability, an individual policy of life insurance, without disability or other supplementary benefits, providing application for the individual policy shall be made, and the first premium paid to the insurer, within thirty-one days after such termination, subject to the requirements of subdivisions (1), (2) and (3) of section 40-3917 of this chapter. If the group policy terminates or is amended so as to terminate the insurance of any class of employees or members and the employee or member is entitled to have issued an individual policy under section 40-3919 of this chapter, the spouse shall also be entitled to have issued by the insurer an individual policy, subject to the conditions and limitations provided above. If the spouse dies within the period during which he would have been entitled to have an individual policy issued in accordance with this provision, the amount of life insurance which he would have been entitled to have issued under such individual policy shall be payable as a claim under the group policy, whether or not application for the individual policy or the payment of the first premium therefor has been made.

(4) Notwithstanding section 40-3917 of this chapter, only one certificate need be issued for delivery to an insured person if a statement concerning any dependent's coverage is included in such certificate."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 772, introduced copy, be amended as follows: 2/17/77

1. Amend page 5, section 3, line 22.

Following: "rules"

Strike: "in cooperation with the board of nursing"

And as amended, do pass. Report adopted.

# LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman):

HB 266, do not pass. 2/18/77

HB 331, do not pass. 2/16/77

HB 479, introduced copy, be amended as follows: 2/18/77

1. Amend title, line 5.

Following: "install"

Strike: "locomotives"

Insert: "engines"

2. Amend page 1, section 1, line 12.

Following: "72-663."

Strike: "Locomotive"

Insert: "Engines"

3. Amend page 1, section 1, line 16.

Following: "(motors)"

Strike: "locomotives"

Insert: "engines"

4. Amend page 1, section 1, line 21.

Following: line 20

Strike: "locomotive"

Insert: "engine"

5. Amend page 1, section 1, line 24.

Following: line 23

Strike: "locomotives"

Insert: "engines"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 668, introduced copy, be amended as follows:

2/18/77

1. Amend page 2, section 1, line 8.

Following: line 7

Strike: "\$20,000"

Insert: "\$40,000"

2. Amend page 3, section 4, line 18.

Following: "may"

Insert: "only"

And as amended, do pass. Report adopted.

Objection raised by Burnett on 2/17/77 on adverse committee report on HB 331. Referred to Second Reading.

### MESSAGES FROM THE GOVERNOR

February 18, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this date approved House Bills No. 38, 44, 134 and 135.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted  
to the House for concurrence:

2/18/77

Senate Bill No. 48, introduced by Mathers

Senate Bill No. 102, introduced by Jergeson, E. Smith

Senate Bill No. 117, introduced by Lowe, Galt, Dunkle

Senate Bill No. 152, introduced by Hazelbaker, (by request)

Senate Bill No. 202, introduced by Kolstad, et al

Senate Bill No. 207, introduced by Devine, et al

Senate Bill No. 230, introduced by McCallum

Senate Bill No. 270, introduced by Blaylock, (by request)

Senate Bill No. 277, introduced by Flynn, (by request)

Senate Bill No. 333, introduced by Etchart, et al

Senate Bill No. 339, introduced by Regan, Roberts

Senate Bill No. 387, introduced by Lensink, Boylan

Senate Bill No. 398, introduced by Turnage, Murray, Roberts

Bill concurred in by the Senate and returned  
to the House:

2/18/77

House Bill No. 163, introduced by Jensen, Robbins

### MOTIONS

Scully moved that the HB 461, be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Meloy moved that HB 292 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Vincent moved that HB 688 be rereferred from the Committee on Highways and Transportation to the Committee on Business and Industry. Motion carried.

Staigmiller moved that HB 181 be rereferred from Second Reading to the Committee on Fish and Game. Motion carried.

Brand moved that HB 795 be rereferred from the Committee on State Administration to the Committee on Judiciary. Motion carried.

Meloy moved that the House adjourn until 11:00 a.m., February 19, 1977.

Motion carried.

House adjourned at 6:50 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## FORTY-SECOND LEGISLATIVE DAY

Helena, Montana  
February 19, 1977

House Chambers  
Capitol Building

House convened at 11:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Tower, Brand, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Correctly printed - HB 229, HJR 64, HJR 66. 2/18/77

Considered correctly engrossed - HB 197, HB 596, HB 616. 2/18/77

Correctly printed - HB 63, HB 86, HB 247, HB 342, HB 437, HB 451,  
HB 473, HB 565, HB 669, HB 676, HB 719, HB 764. 2/19/77

Considered correctly engrossed: HB 208, HB 355, HB 542, HB 649. 2/19/77

Correctly engrossed: HB 356. 2/18/77

Objection raised by Sivertsen on 2/19/77 on adverse committee report on HB 707. Referred to Second Reading.

On motion by Day, and in accordance with the 24-hour rule, the adverse committee report on HB 341 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 75

Noes: Cooney, Courtney, Hansen, Kennerly, Kimble, Manuel, Teague, Waldron.

Total 8

Excused: Brand, Tower.

Total 2

Absent or not voting: Bardanouve, Burnett, Davis, Ernst, Eudaily, Frates, Hand, Huennekens, Kenny, Kessler, Lory, Marks, Roth, Scully, Shelden.

Total 15

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 471 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda,

Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Severson, Smith, Staigmillier, Stobie, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 77

Noes: Dussault, Estenson, J. Gunderson, Hansen, Holmes, South, Teague, Vincent, Waldron.

Total 9

Excused: Brand, Tower.

Total 2

Absent or not voting: Burnett, Davis, Day, Frates, Huennekens, Kenny, Kessler, Lory, Scully, Seifert, Shelden, Sivertsen.

Total 12

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 470 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Bradley, Colburn, Dussault, Estenson, J. Gunderson, Harper, Holmes, Metcalf, Teague, Vincent, Waldron.

Total 11

Excused: Brand, Tower.

Total 2

Absent or not voting: Burnett, Huennekens, Kenny, Kessler, Lory, Scully, Shelden.

Total 7

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 520 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Cooney, Dussault, Fagg, Holmes, Teague.

Total 5

Excused: Brand, Tower.

Total 2

Absent or not voting: Hirsch, Kenny, Lory, McLane, Scully, Shelden.

Total 6

On motion by W. Baeth, and in accordance with the 24-hour rule, the adverse committee report on HB 632 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Ageson, Colburn, Teague, Uhde.

Total 4

Excused: Brand, Tower.

Total 2

Absent or not voting: Burnett, Davis, Day, Fagg, Kenny, Lory, Scully, Shelden.

Total 8

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 660 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, Staigmilller, Stobie, Teague, Tropila, Turner, Underdal, Vinger, Williams, Wyrick, Mr. Speaker.

Total 74

Noes: Bradley, Cooney, Courtney, Dussault, Estenson, J. Gunderson, Harper, Holmes, Huennekens, Lynch, Metcalf, Mular, Quilici, South, Uhde, Vincent, Waldron.

Total 17

Excused: Brand, Tower.

Total 2

Absent or not voting: Burnett, Kenny, Lory, Roth, Scully, Shelden, Wood.

Total 7

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 729 was adopted by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Underdal, Vinger, Williams, Wood, Wyrick.

Total 78

Noes: Cooney, Courtney, Dussault, Estenson, Frates, Holmes, Huennekens, Kessler, Kimble, Metcalf, Teague, Uhde, Vincent, Waldron, Mr. Speaker.

Total 15

Excused: Brand, Tower.

Total 2

Absent or not voting: Burnett, Hand, Kenny, Lory, Scully.

Total 5

On motion by Staigmilller, and in accordance with the 24-hour rule, the adverse committee report on HB 752 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Underdal, Vinger, Williams, Wood, Wyrick.

Total 74

Noes: Cooney, Courtney, Estenson, Frates, Harper, Holmes, Huennekens, Kessler, Kimble, Meloy, Menahan, Metcalf, Mular, Teague, Uhde, Vincent, Waldron, Mr. Speaker.

Total 18

Excused: Brand, Tower.

Total 2

Absent or not voting: Burnett, Davis, Day, Kenny, Palmer, Scully.

Total 6

On motion by Menahan, and in accordance with the 24-hour rule, the adverse committee report on HJR 62 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmilller, Stobie, Tropila, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 73



Noes: Bradley, Cooney, Courtney, Dussault, Estenson, Frates, Gilligan, Halvorson, Harper, Harrington, Holmes, Huennekens, Kennerly, Kessler, Lynch, Menahan, Metcalf, Mular, Teague, Uhde, Vincent, Waldron.  
Total 22

Excused: Brand, Tower.  
Total 2

Absent or not voting: Burnett, Scully, Sivertsen.  
Total 3

BILLS (Quilici, Chairman): 2/19/77  
Correctly engrossed - HB 535, HB 566.

Was signed by the Speaker on adjournment, 2/18/77 - SB 55.

Will be signed by the Speaker on adjournment, 2/19/77 - SB 19, SB 63.

RULES (Meloy, Chairman): 2/19/77  
Joint Rules be amended as follows:

1. Amend joint rule 6-34, page 48, paragraph 1.  
Strike: "forty-fifth"  
Insert: "forty-eighth"  
Strike: "fifty-fifth"  
Insert: "eightieth"

2. Amend joint rule 6-34, page 48, paragraph 3.  
Strike: "fiftieth" on line 3  
Insert: "sixty-second"  
Strike: "fiftieth" on line 7  
Insert: "sixty-second"

And as amended, do pass. Report adopted.

### MOTIONS

Dussault moved that HB 460 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

Meloy moved that HB 671 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

Kimble moved that consideration of HB 420 be passed until the 44th Legislative Day. Motion carried.

Sivertsen moved that HB 707 be rereferred from Printing to the Committee on Education. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was accepted for introduction on the 18th Legislative Day, read first time and referred to committee:

HJR 87, introduced by Fagg, Marks. Referred to Committee on Rules.

The following Senate bills were introduced, read first time and referred to committees:

SB 48, introduced by Mathers. Referred to Committee on Natural Resources.

SB 102, introduced by Jergeson, E. Smith. Referred to Committee on Taxation.

SB 117, introduced by Lowe, Galt, Dunkle, (By Request of the Department of Fish and Game). Referred to Committee on Fish and Game.

- SB 152, introduced by Hazelbaker, (By Request of the Montana Board of Crime Control). Referred to Committee on State Administration.
- SB 202, introduced by Kolstad, Aber, Turnage, Bergren, Flynn, Thomas. Referred to Committee on Business and Industry.
- SB 207, introduced by Devine, Fasbender, Roskie, Goodover. Referred to Committee on Business and Industry.
- SB 230, introduced by McCallum. Referred to Committee on Judiciary.
- SB 270, introduced by Blaylock, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Business and Industry.
- SB 277, introduced by Flynn, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Business and Industry.
- SB 333, introduced by Etchart, McCallum, Flynn, Graham. Referred to Judiciary Subcommittee on Montana Water.
- SB 339, introduced by Regan, Roberts. Referred to Committee on Judiciary.
- SB 387, introduced by Lensink, Boylan. Referred to Committee on Education.
- SB 398, introduced by Turnage, Murray, Roberts. Referred to Committee on Judiciary.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 158 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Pistoria.

Total 1

Excused: Brand, Tower.

Total 2

Absent or not voting: Conroy, Ellerd.

Total 2

House Bill No. 197 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Dussault, Ellis, Estenson, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Shelden, South, Staigmiller, Teague, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 60

Noes: Burnett, Cox, Curtiss, Dassinger, Davis, Day, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hand, Hansen, Hurwitz, Jensen, Keyser, Kropp, Kvaalen, Lund, McLane, Marks, Meyer, Moore, Porter, Ramirez, Seifert, Severson, Sivertsen, Smith, Stobie, Tropila, Turner, Underdal, Vinger, Wood, Wyrick.

Total 37

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 251 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Dassinger, Ryan.

Total 2

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd, Teague.

Total 2

House Bill No. 254 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 92

Noes: Burnett, Lory, Seifert, Smith, Wood.

Total 5

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.



Total 1

House Bill No. 260 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Bertelsen, Cooney, Courtney, Dussault, Estenson, E. Gunderson, Harper, Harrington, Hirsch, Lynch, Manuel, Metcalf, Waldron.

Total 13

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 338 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd, Frates, Ryan.

Total 3

House Bill No. 339 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe,



O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Bertelsen, Kenny, Moore, Ryan, Smith, Turner.

Total 6

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 349 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Conroy, Teague.

Total 2

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 356 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Burnett, Colburn, Cox, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gould, Hansen, Harper, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Menahan, Meyer, Moore, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Turner, Vincent, Wood, Wyrick, Mr. Speaker.

Total 56

Noes: Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Day, Dussault, Estenson, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harrington, Huennekens, Kanduch, Kennerly, Kessler, Kimble, Lien, Lynch, Manuel, Meloy, Metcalf, Mular, Nathe, Quilici, Roth, Ryan, Scully, Severson, Shelden, South, Teague, Tropila, Uhde, Underdal, Vinger, Waldron, Williams.

Total 41

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 362 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dussault, Ellis, Ellison, Ernst, Estenson, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Seifert, Shelden, Sivertsen, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Mr. Speaker.

Total 74

Noes: Bertelsen, Dassinger, Day, Eudaily, Feda, Gerke, Harrington, Hirsch, Huennekens, Keyser, Kropp, McLane, Robbins, Scully, Severson, Smith, South, Turner, Vinger, Williams, Wood, Wyrick.

Total 22

Excused: Brand, Tower.

Total 2

Absent or not voting: Davis, Ellerd.

Total 2

House Bill No. 384 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Dassinger, Feda, Kenny, Keyser, Porter, Roth, Smith, Staigmiller, Stobie, Teague, Tropila, Vinger.

Total 12

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 529 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer,

Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brand, Tower.

Total 2

Absent or not voting: Davis, Ellerd.

Total 2

House Bill No. 537 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Burnett, Pistoria, Vinger.

Total 3

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 596 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brand, Tower.

Total 2



Absent or not voting: Ellerd.

Total 1

House Bill No. 616 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 617 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 626 was passed by the following vote:

Ayes: Ageson, Barrett, Bengtson, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Ellison, Ernst, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks,



Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Sivertsen, Smith, Stobie, Teague, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 67

Noes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Courtney, Davis, Dussault, Ellis, Estenson, Eudaily, Gould, J. Gunderson, Halvorson, Harper, Holmes, Kanduch, Kessler, Lory, Meloy, O'Connell, Palmer, Ramirez, Severson, Shelden, South, Staigmilller, Turner, Vincent, Waldron.

Total 30

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 638 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, Sivertsen, Staigmilller, Teague, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 68

Noes: Bengtson, Burnett, Davis, Day, Ellison, Fagg, Gerke, Harper, Hirsch, Hurwitz, Jensen, Kropp, Kvaalen, Lund, McLane, Nathe, Porter, Ramirez, Roth, Seifert, Severson, Smith, South, Stobie, Underdal, Vinger, Wood, Wyrick.

Total 28

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd, Moore.

Total 2

House Bill No. 641 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Burnett, Ellison, Jensen, Kenny, Ryan, Smith, Stobie, Vinger.

Total 8

Excused: Brand, Tower.

Total 2

Absent or not voting: Davis, Ellerd.

Total 2

House Bill No. 645 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Burnett, Ellison, McLane, Roth, Smith, Stobie.

Total 6

Excused: Brand, Tower.

Total 2

Absent or not voting: Davis, Ellerd.

Total 2

House Bill No. 743 was passed by the following vote:

Ayes: Aageson, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Stobie, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood.

Total 75

Noes: R. Baeth, W. Baeth, Bardanouve, Bradley, Cooney, Courtney, Dussault, Frates, J. Gunderson, Harrington, Lynch, Meloy, Menahan, O'Connell, Palmer, Quilici, Smith, Staigmilller, Uhde, Waldron, Wyrick, Mr. Speaker.

Total 22

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Bill No. 760 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington,

Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Stobie.

Total 1

Excused: Brand, Tower.

Total 2

Absent or not voting: Day, Ellerd, Jensen, Meyer.

Total 4

House Joint Resolution No. 18 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Burnett, Ernst, Feda, Kenny, Kvaalen, Moore, Ryan, Smith, Stobie, Turner, Underdal.

Total 11

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Joint Resolution No. 21 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 90

Noes: Gerke, Hansen, Manuel, Smith, Stobie, Wood.

Total 6



Excused: Brand, Tower.

Total 2

Absent or not voting: Barrett, Ellerd.

Total 2

House Joint Resolution No. 38 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lynch, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Bardanouve, J. Gunderson, Kessler, Lory, Metcalf, Palmer, Uhde.

Total 7

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd, Huennekens, Lund, McLane, O'Keefe.

Total 5

House Joint Resolution No. 48 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Cox.

Total 1

Excused: Brand, Tower.

Total 2

Absent or not voting: Ellerd.

Total 1

House Joint Resolution No. 51 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Estenson, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lien, Lund, Lynch, Manuel, Meloy,



Menahan, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Sivertsen, South, Staigmiller, Teague, Tropila, Turner, Vincent, Williams.

Total 60

Noes: Bardanouve, Burnett, Dussault, Ellis, Ellison, Ernst, Feda, Hansen, Hirsch, Holmes, Hurwitz, Jensen, Kenny, Keyser, Kropp, Kvaalen, Lory, McLane, Marks, Metcalf, Meyer, Moore, Roth, Ryan, Severson, Smith, Stobie, Uhde, Underdal, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.

Total 34

Excused: Brand, Tower.

Total 2

Absent or not voting: Aageson, Ellerd, Eudaily, Shelden.

Total 4

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 211 do pass. (78-7)

That HB 602 do not pass. (67-26)

That HB 229 be amended as follows:

1. Amend title, page 1, lines 7 and 8.

Following: "1947"

Strike: "; and repealing section 11-1024, R.C.M. 1947"

2. Amend page 3, section 4, lines 22 and 23.

Strike: section 4 in its entirety (92-0)

And as amended, do pass. (91-2)

That HB 230 be amended as follows:

1. Amend page 8, section 2.

Following: line 20

Insert: "(7) A member of the board shall not be deemed to have a conflict of interest under the provisions of 59-501 merely because the member is a stockholder, officer, or employee of a lending institution who may participate in the board's programs." (91-2)

And as amended, do pass. (89-4)

That HB 287 be passed for the day.

That HB 296 be amended as follows:

1. Amend page 2, section 4, line 5.

Following: "Within"

Strike: "1"

Insert: "2"

2. Amend page 2, section 4, line 9.

Following: "Within"

Strike: "2"

Insert: "4"

3. Amend page 2, section 4, line 10.

Following: "least"

Strike: "4"

Insert: "3"

4. Amend page 2, section 4.

Following: line 12

Strike: lines 13 through 24 in their entirety (83-2)

And as amended, do pass. (50-45)

That HB 405 do pass. (57-34)

That HB 495 and HB 496 be placed below HB 560 on the Second Reading Board.

That HB 525 do pass. (67-23)

That HB 526 do pass. (83-4)

That HB 527 be amended as follows:

1. Amend title, line 6.

Following: "(to)"

Insert: "that"

2. Amend page 7, section 4, line 10.

Following: "levying"

Strike: "this"

Insert: "a special construction"

3. Amend page 7, section 4, lines 15 and 16.

Following: "in"

Strike: "Title 37, chapter 3"

Insert: "11-1104 through 11-1114" (72-8)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (62-32)

That HB 495, HB 496, and HB 560 be passed for the day.

That HB 563 be amended as follows:

1. Amend title, page 1, line 5.

Following: "office"

Insert: "and certain appointed officials"

2. Amend page 1, section 1.

Following: line 12

Insert: "(1) 'Appointed officials' means the directors of state agencies appointed under the provisions of 82A-106, 82A-1001, 82A-1104, 82A-1401 and 82A-2003."

Renumber: subsequent subsections

3. Amend page 2, section 2, line 24.

Following: "official"

Insert: ", appointed official as defined in this act"

4. Amend page 3, section 2, line 4.

Following: "candidate"

Insert: ", appointed official"

5. Amend page 5.

Following: line 16

Insert: "Section 5. Penalties. Any person who fails to file a statement required by this act is guilty of a misdemeanor. Any person who knowingly files a false, erroneous or incomplete statement commits the offense of false swearing or tampering with public records or information, as appropriate, and is punishable as provided in 94-7-203 or 94-7-209, as applicable."

Renumber: subsequent sections (55-20)

And be further amended:

6. Amend page 5, section 3, subsection (11) lines 13 and 14.

Strike: subsection (11) in its entirety (70-9)

And as amended, do not pass. (65-26)

That HB 570 do pass. (90-3)

That HB 582 do pass. (83-6)

That HB 646 be amended as follows:

1. Amend page 3, section 1, line 8.

Following: "section."

Insert: "Up to 1/2 of the funds appropriated for this section shall be distributed to the counties of the state which operate public transportation systems to reimburse 50% of county expenditures of local revenues for public transportation." (57-1)

Kvaalen replaced Moore in the Chair.

Moore resumed Chair.

And as amended, do pass. (66-26)

That HB 675 do pass. (83-1)

That HB 678 be passed for consideration until the 44th Legislative Day.

That HB 711 do pass. (46-43)

That HB 718 do pass. (83-0)

That HB 720 do pass. (83-0)

That HB 757 do pass. (81-2)

That HJR 25 be passed for the day.

That HJR 64 do pass. (82-0)

That HJR 66 do pass. (81-2)

That the committee rise and report. (Moore, Chairman)

South moved that HB 711 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

## REPORTS OF STANDING COMMITTEES

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on HB 515 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault,

Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Marks, Meloy, Metcalf, Meyer, O'Connell, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 75

Noes: Courtney, Keyser, Lynch, Manuel, Menahan, Moore, Mular, Teague.  
Total 8

Excused: Brand, Tower.

Total 2

Absent or not voting: R. Baeth, Burnett, Conroy, Fabrega, Harrington, Jensen, Kennerly, Kimble, Nathe, O'Keefe, Palmer, Robbins, Scully, Seifert, Tropila.

Total 15

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on HB 686 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, O'Connell, Pistoria, Porter, Ramirez, Roth, Ryan, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Courtney, Lynch, Menahan, Mular, Quilici, Teague.

Total 6

Excused: Brand, Tower.

Total 2

Absent or not voting: R. Baeth, Burnett, Fabrega, Harrington, Jensen, Kennerly, Kimble, Nathe, O'Keefe, Palmer, Robbins, Scully, Seifert, Tropila.

Total 14

On motion by Meloy, and in accordance with the 24-hour rule, the adverse committee report on HR 2 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bradley, Colburn, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Frates, Gould, J. Gunderson, Halvorson, Hansen, Hirsch, Johnston, Kanduch, Lien, Lynch, Manuel, Meloy, Metcalf, Mular, O'Connell, Pistoria, Quilici, Roth, Shelden, Sivertsen, South, Staigmillar, Stobie, Turner, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 44

Noes: Aageson, Barrett, Bertelsen, Conroy, Ellison, Fedá, Gilligan, Hand, Harper, Huennekens, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Menahan, Meyer, Moore, Ramirez, Seifert, Severson, Smith, Teague, Underdal, Vinger, Wyrick.

Total 29



Excused: Brand, Tower.

Total 2

Absent or not voting: R. Baeth, Burnett, Courtney, Dussault, Eudaily, Fabrega, Fagg, Gerke, E. Gunderson, Harrington, Holmes, Hurwitz, Jensen, Kennerly, Kimble, Marks, Nathe, O'Keefe, Palmer, Porter, Robbins, Ryan, Scully, Tropila, Wood.

Total 25

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on HB 400 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meyer, Moore, O'Connell, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmilller, Stobie, Turner, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 65

Noes: Barrett, Bertelsen, Bradley, Davis, Dussault, Ellerd, Estenson, Harper, Huennekens, Kessler, Lynch, Meloy, Menahan, Metcalf, Mular, South, Teague, Uhde, Vincent.

Total 19

Excused: Brand, Tower.

Total 2

Absent or not voting: R. Baeth, Burnett, Courtney, Fabrega, Harrington, Jensen, Kennerly, Kimble, Nathe, O'Keefe, Palmer, Robbins, Scully, Tropila.

Total 14

On motion by O'Connell, and in accordance with the 24-hour rule, the adverse committee report on HB 704 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Hurwitz, Johnston, Kanduch, Kenny, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, O'Connell, Pistoria, Quilici, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 70

Noes: Barrett, Cox, Estenson, Fagg, Holmes, Huennekens, Kessler, Keyser, McLane, Metcalf, Porter, Ramirez, Teague.

Total 13

Excused: Brand, Tower.

Total 2

Absent or not voting: R. Baeth, Burnett, Courtney, Davis, Fabrega, Harrington, Jensen, Kennerly, Kimble, Nathe, O'Keefe, Palmer, Robbins, Scully, Tropila.

Total 15

BILLS (Quilici, Chairman):

2/19/77

Correctly printed - HB 273, HB 344, HB 532, HB 561, HB 728.

BUSINESS AND INDUSTRY (Vincent, Chairman):

2/19/77

HB 352, introduced bill, be amended as follows:

1. Amend title, line 6.

Following: "commission"

Strike: "6"

Insert: "9"

2. Amend title, line 8.

Following: "first"

Insert: "; and providing an immediate effective date"

3. Amend page 2, section 1, line 17.

Following: "passage of"

Strike: "6"

Insert: "9"

4. Amend page 2, section 1, line 21.

Following: "passage of"

Strike: "6"

Insert: "9"

5. Amend page 3, section 1, line 21.

Following: "rendered"

Strike: "6"

Insert: "9"

6. Amend page 4, section 1, line 1.

Following: "rebate"

Insert: ", plus interest at the rate of 10% per year,"

And as amended, do pass. Report adopted.

HB 395, introduced bill, be amended as follows:

1. Amend title, line 7.

Following: "1947"

Insert: "; and repealing section 70-708, R.C.M. 1947"

2. Amend page 1, section 1, subsection (3), line 24.

Following: "herein"

Insert: "and all discovery powers sanctioned by the Montana rules of civil procedure and the Montana Administrative Procedure Act."

3. Amend page 2, section 1, subsection (3), line 1 through line 3 on page 3.

Following: "(Act;)"

Strike: line 1 on page 2 through line 3 on page 3 in their entirety

Insert: "It is the specific intent of this section to provide the authority and availability of the process of discovery to the consumer counsel in administrative contested-case procedure. Violations of discovery procedure shall be heard and administered by the district court. In the event of an appeal to district court for enforcement of discovery procedures, the time limits imposed by section 70-113, R.C.M. 1947, shall be suspended pending order of the district court."

4. Amend page 4.

Following: line 5

Insert: "Section 2. Repealer. Section 70-708, R.C.M. 1947, is repealed."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 396, introduced bill, be amended as follows:

1. Amend title, line 6.

Following: "cases"

Insert: ", and providing an immediate effective date"

2. Amend page 1, section 1, lines 15 through 17.

Following: "manner"

Strike: ", fair to all parties, within a period of 9 months from the filing thereof"

3. Amend page 1, section 1, line 17.

Following: "thereof."

Insert: "The rules shall be promulgated and adopted prior to October 31, 1977."

4. Amend page 1, section 1, line 17.

Following: line 17

Insert: "Section 2. In the event the public service commission fails to adopt rules in accordance with (section 1)\* prior to the time designated, the appropriation of the 1977 general session to the public service commission shall be subject to revision by the legislature at any special or general session.

Section 3. Effective date. This act is effective on its passage and approval."

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman):

2/19/77

HB 92, do not pass.

HB 411, do pass. Report adopted.

HB 455, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 14.

Following: "person"

Strike: "under"

Insert: "because of"

And as amended, do pass. Report adopted.

HB 497, do pass. Report adopted.

HB 742, do pass. Report adopted.

HB 749, do not pass.

HB 758, do pass. Report adopted.

HB 759, do pass. Report adopted.

HJR 23, do pass. Report adopted.

HJR 59, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman):

2/19/77

HB 139, do not pass.

HB 259, introduced copy, be amended as follows:

1. Amend page 2, section 2, line 20.

Following: "supply"

Strike: "no less than 40%"

Insert: "a reasonable amount"

And as amended, do not pass.

HB 425, do not pass.

HB 524, do not pass.

HB 697, do pass. Report adopted.

HB 733, do not pass.

HJR 39, do not pass.

LOCAL GOVERNMENT (Robbins, Chairman):

2/19/77

HB 122, introduced copy, be amended as follows:

1. Amend page 4, section 1, line 22.

2/14/77

Following: "(3)"

Strike: "Unless otherwise provided in this title, each"

Insert: "Each"

2. Amend page 6, section 1, line 13.

2/14/77

Following: "through"

Strike: "ordinary"

Insert: "business"

3. Amend page 9, section 1,  
lines 15 and 16.

2/14/77

Following: "the"

Strike: "officer or officers"

Insert: "person or persons"

4. Amend page 17, section 1, line 15.

2/18/77

Following: "other"

Strike: "incorporated"

Insert: "incorporeal"

5. Amend page 17, section 1,  
lines 21 through 23.

2/18/77

Following: line 20

Strike: line 21 through line 23 in their entirety

Renumber: all subsequent subsections

6. Amend page 18, section 1,  
lines 12 through 15.

2/18/77

Following: line 11

Strike: line 12 through line 15 in their entirety

Renumber: all subsequent subsections

7. Amend page 19, section 1, line 21.

2/16/77

Following: "circulation"

Insert: "with a second-class mailing permit"

8. Amend page 20, section 1,  
lines 17 and 18.

2/12/77

Following: "taken;"

Strike: "and"

Insert: "(c) the address and telephone number of the person who can be contacted for further information on the action to be taken; and"

Renumber: subsequent subsections

9. Amend page 21, section 1, line 13.

2/12/77

Following: "taken;"

Strike: "and"

10. Amend page 21, section 1, line 14.

2/12/77

Following: line 13



Insert: "(c) the address and telephone number of the person who can be contacted for further information on the action to be taken; and"

Renumber: subsequent subsection

11. Amend page 21, section 1, line 18. 2/18/77

Following: line 17

Strike: "47-1-305"

Insert: "47A-1-305"

12. Amend page 23, section 1, line 5. 2/18/77

Following: line 4

Insert: "(8) The department of community affairs in cooperation with the secretary of state shall prepare and provide each county and municipality with:

(a) a standard petition form;

(b) sample petition forms for initiatives, referendums, and recall elections; and

(c) sample petition forms for creation of subordinate service districts and local improvement districts.

(9) Each county and municipality shall make available to the public on request sample petition forms."

13. Amend page 27, section 1, line 4. 2/12/77

Following: "person"

Strike: "."

Insert: ";

14. Amend page 27, section 1, line 5. 2/12/77

Following: line 4

Insert: "(d) a statement that the waiver of notice is voluntarily and knowingly given, with knowledge of the signer's constitutional rights to notice."

15. Amend page 45, section 1, line 22. 2/16/77

Following: line 21

Insert: "(11) 'Finding of public endangerment' means a finding, adopted in accordance with 47A-2-216(1), which states that the public health, safety, and welfare of both the inhabitants of the municipality and the area proposed to be annexed are endangered by the lack of or inadequacy of public services in the area to be annexed which could be provided by a municipality in a manner which would eliminate the public endangerment."

16. Amend page 49, section 1, line 23. 2/18/77

Following: "If"

Strike: "appropriated"

Insert: "appropriate"

17. Amend page 51, section 1, line 19. 2/18/77

Following: "lot"

Insert: "or any property of a governmental agency"

18. Amend page 52, section 1, line 17. 2/14/77

Following: line 16

Insert: "(3) A municipality proceeding under this section may not annex land included within a fire district originally organized under the provisions of former Title 11, chapter 20; a county subordinate service district created to provide fire protection services; or a joint county subordinate service and local improvement district created to provide fire protection services whenever the district was originally organized 10 years or more prior to the commencement of the annexation proceedings."

19. Amend page 53, section 1,  
lines 10 through 23.

2/16/77

Following: "protest."

Strike: line 10 through line 23 in their entirety

Insert: "(1) (a) A municipality may annex an area through the procedures prescribed by 47A-2-204, 47A-2-216(2) through (7), and 47A-2-217 only if a resolution granting a finding of public endangerment has been adopted in accordance with the procedures prescribed in 47A-2-216(1).

(b) The governing body of a municipality may by resolution request the finding of public endangerment.

(c) The request shall be delivered to the governing body of the county in which the proposed area to be annexed lies and to the district court judge or judges of that county.

(d) The senior district court judge shall, within 10 days of receiving the request, set a date for a public hearing on the requested finding of public endangerment. The public hearing shall be held at least 60 but not more than 90 days following reception of the request. The municipality shall publish notice of the public hearing and shall give mailed notice to all resident freeholders in the area. The municipality shall also publish notice stating that at least 14 days before the public hearing a summary of its preliminary findings and its reasons for requesting a finding of public endangerment shall be available at the office of the municipality.

(e) During the period following reception of the request and before the public hearing, the district court judge or judges and the county and municipal governing body may conduct individual or joint informational meetings or hearings they consider necessary and may make available a summary of their preliminary findings.

(f) At the public hearing, the senior district court judge shall preside and testimony shall be taken to investigate the validity of the requested finding of public endangerment. The municipality, the county, and the district court judge or judges shall all present their preliminary findings, if any.

(g) No later than 10 days following the public hearing, a resolution must be adopted granting or denying the requested finding of public endangerment. Granting of the requested finding shall be by separate majorities of both the governing bodies of the municipality and the county and the unanimous consent of the district court judge or judges. Failure to gain any majority or the unanimous consent of the judge or judges shall be considered adoption of a resolution denying the finding of public endangerment.

(h) If the requested finding of public endangerment is granted, the municipality may proceed through the procedures prescribed by 47A-2-204, 47A-2-216(2) through (7), and 47A-2-217."

Renumber: subsequent subsections

20. Amend page 60, section 1,  
lines 19 and 20.

2/16/77

Following: "this part"

Strike: line 19 and line 20 in their entirety

21. Amend page 60, section 1, line 21.

2/16/77

Following: line 20

Strike: "fails to act"

22. Amend page 70, section 1, line 2.

2/18/77

Following: line 1

Insert: "47A-2-405. Merger of municipalities. (1) When a municipal-

ity desires to merge with another and contiguous municipality, the governing body of each must appoint three commissioners to arrange and report to the municipal governing bodies respectively: the plan of government for the new municipality and the terms and conditions on which the merger can be made.

(2) If the governing bodies of the municipalities approve, they must by joint ordinance so declare and thereupon submit the question of merger and the plan of government to the electors of the respective municipalities.

(3) The election on the merger and the plan of government shall comply with the procedures in chapter 2, part 1, of this title for incorporation of municipalities. The merger is approved if a majority of the electors within each municipality vote in favor of the merger.

(4) When two or more municipalities merge, a municipality is created as a single local government.

(5) Except as provided in the merger plan, the new municipality succeeds to all rights, assets, and liabilities of the merging municipalities.

(6) The new municipality has the powers and duties of a municipality.

(7) The new municipality shall have the form of government specified in the resolutions providing for the merger. The form may be amended as provided in chapter 3, part 1, of this title."

23. Amend page 72, section 1, line 4. 2/14/77  
Following: "established"  
Strike: "only"

24. Amend page 72, section 1, line 5. 2/14/77  
Following: "people"  
Insert: "or by the procedures in subsection (3) of this section"

25. Amend page 72, section 1, line 16. 2/14/77  
Following: line 15  
Insert: "(3) If a petition, signed by at least 15% of the electors of a local government, is submitted to the governing body requesting that a study commission be established, a study commission shall be established without an election on the question and study commissioners shall be elected in the manner provided in this part."  
Renumber: subsequent subsections

26. Amend page 73, section 1, line 19. 2/18/77  
Following: "in 23-3304."  
Insert: "There shall be no filing fee."

27. Amend page 74, section 1, 2/18/77  
lines 3 and 4.  
Following: "shall be"  
Strike: lines 3 and 4 in their entirety  
Insert: "set out in the resolution or petition calling for the election on the question of establishing a study commission."

28. Amend page 74, section 1, line 20. 2/18/77  
Following: "(1)"  
Strike: "An"  
Insert: "A special"

29. Amend page 74, section 1, line 25. 2/18/77  
Following: "(2)"  
Strike: "An"



Insert: "A special"

30. Amend page 75, section 1, line 3. 2/18/77

Following: "study commission."

Insert: "A primary election may not be held."

31. Amend page 75, section 1,  
lines 6 through 8. 2/18/77

Following: "returned"

Strike: line 6 through line 8 in their entirety

Insert: "as provided in Title 23 and this title for general elections  
unless the county and municipality agree by joint resolution to do  
so in another manner."

32. Amend page 78, section 1, line 18. 2/18/77

Following: "order"

Insert: "after approval of the budget by the governing body"

33. Amend page 80, section 1, line 11. 2/18/77

Following: line 10

Strike: "primary or general"

34. Amend page 90, section 1, line 18. 2/18/77

Following: "with the"

Strike: "secretary of state,"

Insert: "municipal records administrator if it is a municipal plan, the"

35. Amend page 106, section 1, line 16. 2/8/77

Following: "25 years"

Insert: ", except that a local government may not grant a franchise  
to any public utility as defined in 70-103"

36. Amend page 107, section 1,  
lines 4 through 22. 2/8/77

Following: line 3

Strike: line 4 through line 22 in their entirety

37. Amend page 108, section 1,  
lines 10 and 11. 2/18/77

Following: "for"

Strike: "bonds authorizing ordinances"

Insert: "ordinances authorizing bonds"

38. Amend page 109, section 1, line 5. 2/18/77

Following: "subject;"

Strike: "and"

39. Amend page 109, section 1, line 10. 2/18/77

Following: "repealed"

Strike: "."

Insert: "; and"

40. Amend page 109, section 1, line 11. 2/18/77

Following: line 10

Insert: "(c) contain the number of signatures required by  
47A-1-305."

41. Amend page 110, section 1, line 8. 2/18/77

Following: "published."

Insert: "All costs, including reasonable attorney's fees incurred by the  
defendants, concerning proof of petition validity shall be paid by  
the local government."



42. Amend page 113, section 1, line 21. 2/18/77  
Following: "(d)"  
Strike: "public prosecutor"  
Insert: "prosecuting attorney"
43. Amend page 113, section 1, line 24. 2/12/77  
Following: line 23  
Insert: "(6) (a) In counties with a commission plan of government based on 47A-3-205, the governing body shall designate:  
(i) the elected clerk and recorder as the records administrator and elections administrator;  
(ii) the elected civil attorney as the civil attorney and public prosecutor;  
(iii) the elected sheriff as the chief law enforcement administrator;  
(iv) the elected clerk of the district court as the clerk of the district court;  
(v) the elected superintendent of schools as the superintendent of schools;  
(vi) the elected public administrator as the public administrator;  
(vii) the elected assessor as assessor; and  
(viii) the elected coroner as individual responsible for inquests.  
(b) The duties of the finance administrator shall be allocated between the elected clerk and recorder, elected treasurer, and elected auditor as provided in 47A-9-301.  
(c) Nothing in this section shall prevent the reassignment of duties as provided in 47A-8-102."
44. Amend page 119, section 1, line 1. 2/18/77  
Following: line 25, page 118  
Insert: "(6) In the case of the temporary absence or disability of the chief executive, as determined by the governing body, his duties shall be performed during his temporary absence or disability by an acting chief executive appointed by the governing body."
45. Amend page 120, section 1, line 6. 2/18/77  
Following: line 5  
Insert: "(n) no person is elected to the office."
46. Amend page 121, section 1, line 3. 2/18/77  
Following: "consolidation"  
Insert: ", joining, or elimination"
47. Amend page 121, section 1, line 6. 2/18/77  
Following: line 5  
Insert: "(2) The governing bodies of two or more counties may provide by ordinance for a joint office. This procedure may not be used to eliminate an elective office."  
Renummer: all subsequent subsections
48. Amend page 121, section 1, line 8. 2/18/77  
Following: "governing body"  
Insert: "or bodies"
49. Amend page 121, section 1, line 9. 2/18/77  
Following: "consolidating"  
Insert: ", joining, or eliminating"
50. Amend page 121, section 1, line 11. 2/18/77  
Following: "consolidating"  
Insert: ", joining, or eliminating"
51. Amend page 121, section 1, lines 14 and 15. 2/18/77

Following: "offices."

Strike: line 14 and line 15 in their entirety

52. Amend page 121, section 1, line 16.

2/18/77

Following: line 15

Insert: "(6) Offices consolidated, joined, or eliminated shall remain so until the ordinance is amended or repealed."

53. Amend page 121, section 1, line 18.

2/18/77

Following: "the"

Strike: "public prosecutor"

Insert: "prosecuting attorney"

54. Amend page 121, section 1, line 21.

2/18/77

Following: "elected"

Strike: "public prosecutor"

Insert: "prosecuting attorney"

55. Amend page 122, section 1,  
lines 22 and 23.

2/12/77

Following: "(1)"

Strike: "A local government may establish authorities"

Insert: "Authorities may be established"

56. Amend page 123, section 1, line 14.

2/18/77

Following: ","

Strike: "and"

57. Amend page 123, section 1, line 16.

2/18/77

Following: "12"

Strike: "."

Insert: ","

58. Amend page 123, section 1, line 17.

2/12/77

Following: line 16

Insert: "(i) flood control and water conservation districts as provided in Title 89, chapter 33, and

(j) urban transportation districts organized as provided in former Title 11, chapter 45, before (the effective date of this act) and operating under the provisions of 47A-6-9305 through 47A-6-9313."

59. Amend page 128, section 1, line 3.

2/18/77

Following: line 2

Strike: line 3 in its entirety

Renumber: subsequent subsections

60. Amend page 137, section 1, line 4.

2/18/77

Following: "in"

Strike: "47A-9-501"

Insert: "47A-9-502"

61. Amend page 137, section 1, line 9.

2/16/77

Following: "of"

Strike: "property owners"

Insert: "owners of property"

62. Amend page 137, section 1, line 10.

2/16/77

Following: "or"

Insert: "by the"

63. Amend page 138, section 1, line 15.

2/18/77

Following: line 14

Strike: "47A-9-501"

Insert: "47A-9-502"

64. Amend page 138, section 1, line 21. 2/18/77

Following: "a"

Strike: "file of proposed special assessments"

Insert: "local improvement district file"

65. Amend page 139, section 1, line 8. 2/18/77

Following: "the"

Strike: "assessment"

Insert: "local improvement district"

66. Amend page 140, section 1,  
lines 7 and 8. 2/18/77

Following: "in the"

Strike: "special assessment"

Insert: "local improvement district"

67. Amend page 141, section 1, line 25. 2/18/77

Following: "excluding"

Strike: "streets and alleys"

Insert: "trafficways"

68. Amend page 142, section 1,  
lines 17 through 20. 2/16/77

Following: "paved"

Strike: "for a continuous distance of three blocks or more running  
substantially at a right angle with the single cross block proposed  
to be paved"

Insert: "or the extension of existing paved streets for not more than  
one block"

69. Amend page 143, section 1, line 4. 2/18/77

Following: "protest"

Strike: "at any time before"

Insert: "within the time period established by the governing body, and  
which time period may be no later than 2 weeks prior to the"

70. Amend page 144, section 1, line 8. 2/16/77

Following: "47A-8-430."

Strike: "Assessment roll"

Insert: "Assessments"

71. Amend page 145, section 1, line 3. 2/16/77

Following: "or"

Insert: "any"

72. Amend page 145, section 1, line 9. 2/16/77

Following: "district"

Strike: "abutting upon the improvement"

73. Amend page 145, section 1, line 11. 2/16/77

Following: line 10

Strike: "abutting"

Following: "frontage"

Strike: "on the improvement"

74. Amend page 145, section 1, line 12. 2/16/77

Following: "of"

Insert: "all parcels in"

75. Amend page 145, section 1, line 16. 2/16/77

Following: "the"

Insert: "frontage of"

76. Amend page 145, section 1, line 19.

2/16/77

Following: "that"

Strike: "portion"

Insert: "proportion"

77. Amend page 147, section 1, line 22.

2/16/77

Following: "the"

Strike: "prepaid"

Insert: "unpaid"

78. Amend page 148, section 1, line 20.

2/16/77

Following: "entered"

Strike: "on a"

Insert: "in the"

Following: "assessment"

Strike: "roll"

Insert: "file pursuant to 47A-3-427(6)"

79. Amend page 148, section 1, line 21.

2/18/77

Following: "descriptions"

Strike: ", names of the record owners,"

80. Amend page 148, section 1, line 24.

2/16/77

Following: "assessment"

Strike: "roll"

81. Amend page 149, section 1, line 2.

2/16/77

Following: "the"

Strike: "roll"

Insert: "assessment file as"

82. Amend page 149, section 1, line 3.

2/16/77

Following: "it"

Insert: "as"

83. Amend page 149, section 1, line 18.

2/16/77

Following: "special assessment"

Strike: "roll"

84. Amend page 149, section 1, line 19.

2/16/77

Following: "be"

Strike: "named"

Insert: "filed"

85. Amend page 149, section 1, line 20.

2/16/77

Following: "filing of"

Strike: "the"

Insert: "an"

Following: "appeal"

Strike: "as to"

86. Amend page 149, section 1, line 21.

2/16/77

Following: "assessment"

Insert: "on any parcel"

87. Amend page 149, section 1, line 22.

2/16/77

Following: "whether"

Strike: "such"

Insert: "the"

88. Amend page 149, section 1, line 23.

2/16/77



Following: line 22

Strike: "levied"

Insert: "assessed"

89. Amend page 150, section 1, line 6.

2/16/77

Following: "the"

Strike: "remaining"

Following: "assessments"

Insert: "on the remaining parcels"

90. Amend page 150, section 1, line 14.

2/16/77

Following: line 13

Strike: "assessments"

Insert: "assessment installments"

91. Amend page 150, section 1, line 16.

2/16/77

Following: "special"

Strike: "assessments"

Insert: "assessment installments"

92. Amend page 150, section 1, line 18.

2/16/77

Following: "special"

Strike: "assessments"

Insert: "assessment installments"

93. Amend page 150, section 1, line 19.

2/16/77

Following: "special"

Strike: "assessments"

Insert: "assessment installments"

94. Amend page 151, section 1,  
line 25, through page 152, line 16.

2/16/77

Following: line 24

Strike: 47A-3-435 in its entirety

95. Amend page 154, section 1, line 21.

2/18/77

Following: "Apportionment."

Insert: "(1)"

Following: "If"

Strike: "the plan of government"

Insert: "an"

96. Amend page 154, section 1, line 22.

2/18/77

Following: "adopted"

Strike: "by a"

Insert: "plan of"

Following: "requires"

Strike: "the nomination or"

97. Amend page 155, section 1, line 6.

2/18/77

Following: "administrator."

Insert: "Boundaries of all county commissioner districts shall coincide with legislative district boundaries as much as practical. One or more county commissioner districts may be within a legislative district, and one or more legislative districts may be within a county commissioner district."

98. Amend page 155, section 1, line 7.

2/18/77

Following: line 6

Insert: "(2) (a) If an adopted plan of local government provides for the election of all members of the governing body at large and also provides that some or all members be nominated by district, the

governing body shall by ordinance after each official state, local, or federal census and may at any time make any or any combination of the changes or adjustments provided by this section. Changes or adjustments must insure that the plan of nomination does not preclude the possibility of the majority of the electors nominating candidates for the majority of the seats on the governing body from persons residing in the district or districts where the majority of the electors reside.

(b) Permitted changes or adjustments allowed under this section are:

(i) changing the boundaries of commissioner districts, except that in the case of county district changes, one urban area shall not be included in more than one district;

(ii) changing the plan of nomination of one or more members of the governing body from district to at large or from at large to district, provided that the majority of the governing body be nominated by district;

(iii) changing the number of districts to the extent necessary to accomplish subsection (ii).

(c) The ordinance may be adopted only after notice has been given and a public hearing held. A copy of the ordinance shall be filed with the elections administrator."

99. Amend page 156, section 1, line 1. 2/18/77

Strike: line 1 in its entirety

Insert: "same day as the regular statewide primary election is held."

100. Amend page 157, section 1, line 2. 2/18/77

Following: line 1

Strike: "officials"

Insert: "officers"

101. Amend page 157, section 1, line 7. 2/18/77

Following: "(2)"

Insert: "(a)"

102. Amend page 157, section 1, line 11. 2/18/77

Following: line 10

Insert: "(b) A nonresident of the county may be appointed as prosecuting attorney if there is no licensed attorney residing in the county. Whenever a licensed attorney establishes residence in a county where a nonresident attorney serves as prosecuting attorney and becomes eligible to hold the office of prosecuting attorney, the governing body may appoint such attorney as prosecuting attorney and terminate the employment of the nonresident attorney."

103. Amend page 158, section 1, line 11. 2/18/77

Following: "for the election."

Insert: "A precinct polling place may be located outside the precinct boundaries."

104. Amend page 159, section 1, line 12. 2/18/77

Following: "required by"

Insert: "23-3313 and"

105. Amend page 159, section 1, lines 21 through 25. 2/18/77

Following: "(3)"

Strike: line 21 through line 25 in their entirety

Insert: "If no more than the number of candidates to be elected to each of the offices to be filled file as candidates for all of the party

tickets for the primary election, a primary election shall not be held in that year and all candidates who have filed shall be"

106. Amend page 160, section 1,  
lines 3 through 8. 2/18/77

Following: line 2

Strike: line 3 through line 8 in their entirety

Renumber: all subsequent subsections

107. Amend page 160, section 1, line 16. 2/18/77

Following: line 15

Insert: "(5) In municipalities with a population of 3,500 or less, a primary election is not required and candidates shall have their names entered on the general election ballot by filing a declaration or certificate of nomination not later than 5 p.m. 40 days prior to the date of the election."

108. Amend page 160, section 1, line 20. 2/18/77

Following: "office"

Insert: "not later than 5 p.m. 40 days prior to the date of the primary election"

109. Amend page 161, section 1, line 9. 2/18/77

Following: "may vote for"

Strike: "one candidate for"

Insert: "the number of candidates to be elected to"

110. Amend page 161, section 1, line 17. 2/18/77

Following: "ballot."

Insert: "If the number of candidates to be entered on the nonpartisan primary ballot for any particular office does exceed twice the number of persons to be elected to that office, a primary election shall be held for all offices to be voted on at the general election."

111. Amend page 161, section 1, line 25. 2/18/77

Following: line 24

Insert: "(6) In municipalities with a population of 3,500 or less, a primary election is not required and candidates shall have their names entered on the general election ballot by filing a declaration of nomination not later than 5 p.m. 40 days before the date of the election."

112. Amend page 163, section 1, line 11. 2/18/77

Following: "place."

Insert: "A precinct polling place may be located outside the precinct boundaries."

113. Amend page 164, section 1, line 22. 2/16/77

Following: "contain"

Insert: "the text of the ordinance and"

114. Amend page 166, section 1,  
lines 19 and 20. 2/12/77

Following: "at least"

Strike: "25% of the electors of the local government; and"

Insert: "."

115. Amend page 166, section 1, line 21. 2/12/77

Following: line 20

Insert: "(i) 15% of the electors for county officers; or  
(ii) 20% of the electors for municipal offices; and"

116. Amend page 169, section 1, line 4. 2/18/77

Following: "related"

Insert: "or connected"

Following: "him"

Strike: "or connected of"

Insert: "or any member"

Following: "consanguinity"

Strike: ",

117. Amend page 170, section 1, line 7.

2/18/77

Following: "provisions of"

Strike: "and subject to the restrictions of"

118. Amend page 170, section 1,  
lines 12 through 14.

2/18/77

Following: line 11

Strike: line 12 through line 14 in their entirety

Renumber: subsequent subsection

119. Amend page 171, section 1, line 22.

2/18/77

Following: "to"

Strike: "supervision by"

Insert: "the jurisdiction of"

120. Amend page 177, section 1, line 14.

2/5/77

Following: line 13

Insert: "(7) Each confirmed firefighter or law enforcement officer of a municipality having a population of 7,500 or more is entitled to a minimum monthly wage of \$750 plus 1% of that amount for each year of service."

121. Amend page 178, section 1, line 7.

2/18/77

Following: "government"

Insert: "which provides for coverage by the federal Social Security Act for its employees"

122. Amend page 178, section 1,  
lines 8 through 10.

2/18/77

Following: "11"

Strike: line 8 through line 10 in their entirety

Insert: "."

123. Amend page 179, section 1, line 21.

2/18/77

Following: "chapter"

Strike: "46"

Insert: "18"

124. Amend page 180, section 1, line 2.

2/18/77

Following: "chapter"

Strike: "48"

Insert: "19"

125. Amend page 180, section 1, line 5.

2/18/77

Following: "chapter"

Strike: "49"

Insert: "20"

126. Amend page 180, section 1, line 20.

2/8/77

Following: line 19

Insert:

"(4) Municipalities, if they provide insurance for other municipal employees under subsection (1), shall:

(a) provide the same insurance to their firefighters and law enforcement officers; and



(b) pay the full premium of each firefighter's and law enforcement officer's insurance, including the premium for coverage of dependents."

127. Amend page 182, section 1, line 25. 2/18/77

Following: "government"

Strike: "legal advisor"

Insert: "civil attorney"

128. Amend page 190, section 1, line 12. 2/12/77

Following: "(ii)"

Strike: "punish"

Insert: "cite for"

129. Amend page 190, section 1, line 22. 2/18/77

Following: "title."

Strike: "The"

Insert: "An"

130. Amend page 190, section 1, line 23. 2/18/77

Following: "property"

Insert: "by a municipality"

131. Amend page 191, section 1, line 16. 2/8/77

Following: "(1)"

Strike: "If"

Insert: "Except as provided in subsection (5), if"

132. Amend page 192, section 1, line 9. 2/8/77

Following: line 8

Insert:

"(5) A local government unit may not regulate a public utility, as defined in 70-103, in any area or activity which is subject to regulation by any state agency."

133. Amend page 194, section 1,  
lines 23 and 24. 2/18/77

Following: "protection"

Strike: "as provided in Title 89, chapter 37"

134. Amend page 231, section 1, line 15. 2/18/77

Following: "program"

Strike: ". Unless"

Insert: ", unless"

Following: "ordinance"

Strike: ", the"

Insert: ". The"

135. Amend page 263, section 1, line 8. 2/18/77

Following: "A mortgage"

Insert: "agreement"

136. Amend page 266, section 1, line 18. 2/18/77

Following: "administer"

Strike: "and"

Insert: "or"

137. Amend page 290, section 1, line 8. 2/18/77

Following: "generally"

Strike: "attached to"

Insert: "imposed on"

138. Amend page 292, section 1, line 21. 2/14/77

Following: "findings"

Insert: "and conclusions"

139. Amend page 292, section 1,  
line 25, through page 293, line 1.

2/14/77

Following: "conclusions"

Strike: "on each request for a special exception or a dimensional zoning variance"

Insert: "as they pertain to each of its decisions"

140. Amend page 293, section 1, line 4.

2/14/77

Following: line 3

Insert: "(4) A governing body may hear appeals of board of adjustment decisions. However, the governing body may not overrule a decision of the board unless it finds that the board's decision exceeds the authority granted to it by the zoning ordinance."

141. Amend page 296, section 1, line 2.

2/14/77

Following: "ordinance"

Strike: "may be continued"

Insert: "shall be permitted to continue"

142. Amend page 296, section 1,  
lines 4 through 7.

2/14/77

Following: "(2)"

Strike: line 4 through line 7 in their entirety

Insert: "Upon the discontinuance of a nonconforming use for a period of time designated by the governing body in its zoning ordinance or the destruction of the nonconforming use or structure, the governing body may require any further use or structure to conform with the zoning ordinance. The time period established in the zoning ordinance shall be no less than 6 months."

(3) A governing body may include in a zoning ordinance provisions for the regulation of nonconforming uses and structures."

143. Amend page 308, section 1, line 1.

2/8/77

Following: page 307

Strike: line 1

144. Amend page 308, section 1, line 25.

2/8/77

Following: "underground"

Insert: "service facilities,"

145. Amend page 338, section 1, line 4.

2/12/77

Following: "This"

Strike: "title and"

Following: "section"

Strike: "do"

Insert: "does"

146. Amend page 339, section 1, line 18,  
through page 340, line 17.

2/18/77

Following: line 17

Strike: line 18, page 339, through line 17, page 340, in their entirety

147. Amend page 340, section 1, line 18.

2/10/77

Following: line 17

Insert:

"Cultural Services

47A-6-5701. Policy and purpose. It is the policy of the state of Montana that:

(1) local governments be encouraged and assisted in providing a

broad range of cultural services in order to enrich the quality of life in Montana and satisfy the intellectual and creative needs of the people;

(2) cultural services include historical, scientific, arts, archaeological, recreational, and scenic sites, facilities, activities, and events; and

(3) the maintenance and improvement of cultural services and the conservation of cultural resources is a constitutional responsibility of the legislature.

47A-6-5702. General provisions apply. A local government providing cultural services shall proceed under the provisions of this title except that the specific powers, procedures, and instructions contained in this part shall be considered to be additional powers and additional requirements or to supersede other provisions of this title."

148. Amend page 341, section 1, line 15. 2/18/77

Following: "this"

Strike: "chapter"

Insert: "part"

149. Amend page 342, section 1, line 13. 2/18/77

Following: line 12

Insert: "(2) Fire protection services may be provided by any of the methods prescribed in 47A-6-102, except that a municipality having a population of 7,500 or more shall have a paid fire service."

Renumber: subsequent subsection

150. Amend page 345, section 1, line 17. 2/5/77

Following: line 16

Insert: "(3) A municipality may not reduce the authorized number of paid firefighters through the appointment or utilization of volunteer firefighters."

151. Amend page 350, section 1, line 2. 2/18/77

Following: "personnel of"

Insert: "nonprofit"

152. Amend page 356, section 1, line 15. 2/8/77

Following: "who"

Strike: "may"

Insert: "shall"

153. Amend page 357, section 1,  
lines 16 and 17. 2/8/77

Following: "so, the"

Strike: "law enforcement administrator"

Insert: "sheriff"

154. Amend page 357, section 1,  
lines 21 and 22. 2/8/77

Following: "the"

Strike: "county chief law enforcement administrative officer"

Insert: "sheriff"

155. Amend page 359, section 1, line 12. 2/8/77

Following: "officers"

Insert: ", not including the sheriff or assistant sheriff,"

156. Amend page 362, section 1, line 15. 2/8/77

Following: line 14

Insert:

"(10) (a) If the local government does not have a law enforcement board, the elected sheriff or, if there is no elected sheriff, the chief executive may appoint qualified persons as law enforcement officers for a probationary term not to exceed 1 year.

(b) A probationary appointment may be terminated without cause.

(c) Confirmation shall follow the procedures specified in subsections (6), (8), and (9).

(d) If the appointment is confirmed, the applicant shall become a member of the law enforcement agency of the local government and shall hold that position during good behavior, unless suspended or discharged as provided by law."

157. Amend page 366, section 1, line 21. 2/8/77

Following: "government"

Insert: ", except the office of sheriff"

158. Amend page 369, section 1, line 3. 2/8/77

Following: "executive,"

Insert: "one copy shall be given to the chief law enforcement administrator,"

159. Amend page 369, section 1, line 10. 2/8/77

Following: "by a"

Strike: "priority"

Insert: "majority"

160. Amend page 369, section 1,  
lines 15 and 16. 2/8/77

Following: "officer,"

Strike: "the elected sheriff or"

161. Amend page 369, section 1, line 19. 2/8/77

Following: "administrator"

Insert: "and given to the chief law enforcement administrator and the accused officer"

162. Amend page 369, section 1, line 21. 2/8/77

Following: "vetoed by"

Strike: "the elected sheriff or"

163. Amend page 370, section 1, line 7. 2/8/77

Following: line 6

Strike: "Only an"

Insert: "An"

Following: "officer"

Insert: ", the chief law enforcement administrator, or the claimant who brought the charges"

164. Amend page 377, section 1, line 1. 2/18/77

Following: "serving"

Strike: "two"

Insert: "10"

165. Amend page 377, section 1, line 2. 2/18/77

Following: "or more"

Strike: "individual lots"

Insert: "families or supplying an industry employing 10 or more persons"

166. Amend page 377, section 1,  
lines 11 and 12. 2/18/77

Following: "supply"



Strike: "only a single lot"

Insert: "less than 10 families or to supply an industry employing less than 10 persons"

167. Amend page 378, section 1, line 15. 2/14/77

Following: "water"

Strike: "and"

Insert: "or"

168. Amend page 378, section 1, line 16. 2/14/77

Following: "water"

Strike: "and"

Insert: "or"

169. Amend page 378, section 1, line 19,  
through page 379, line 5. 2/14/77

Following: "(2)"

Strike: line 19, page 378, through line 5, page 379, in their entirety

Insert: "Any person provided water or sewer service by a local government may file a complaint with the public service commission as provided in 70-119."

170. Amend page 386, section 1, line 15. 2/16/77

Following: line 14

Insert: "and maintenance"

Following: "the"

Strike: "subsequent 3 years"

Insert: "following year"

171. Amend page 386, section 1,  
lines 16 and 17. 2/16/77

Following: "jurisdiction"

Strike: ", and maintenance priorities for the following year"

172. Amend page 390, section 1, line 18. 2/8/77

Following: "interest"

Insert: ", but such vacation shall not affect the right of any public utility to continue to maintain its plant and equipment in any such right-of-way"

173. Amend page 390, section 1, line 21. 2/18/77

Following: "owners"

Insert: "within the same townsite or subdivision"

174. Amend page 403, section 1, line 12. 2/16/77

Following: "within"

Strike: "60"

Insert: "10"

175. Amend page 405, section 1, line 1. 2/16/77

Following: page 404, line 25

Insert: "(4) Once a project has been approved by the local government, prior protest shall not prohibit eminent domain proceedings from being brought pursuant to Title 93, chapter 99."

176. Amend page 406, section 1, line 3. 2/16/77

Following: "agencies."

Insert: "(1)"

177. Amend page 406, section 1,  
lines 10 through 13. 2/16/77

Following: "ends."

Strike: line 10 through line 13 in their entirety

Insert: "(2) Contracts related to local improvement districts, sidewalks, curbing, and other public works projects on right-of-way controlled by the department of highways are subject to the approval of the department of highways.

(3) The contracts referred to in subsection (2) of this section may be let by the local government."

178. Amend page 406, section 1, line 20.

2/18/77

Following: "section."

Insert: "Such an interlocal agreement may not be made a prerequisite for the approval of construction or the letting of contracts by the department of highways."

179. Amend page 408, section 1, line 19.

2/16/77

Following: line 18

Insert: "(4) Auto passes do not deprive a fence of the character of a legal fence under state law."

180. Amend page 409, section 1, line 11.

2/8/77

Following: "maintenance"

Insert: "and necessary to restore the trafficway"

181. Amend page 409, section 1, line 25

through page 410, line 2.

2/8/77

Following: "district"

Strike: "; the resolution creating the district is not subject to petition or protest"

182. Amend page 418, section 1,  
lines 3 and 4.

2/18/77

Following: "chapter 21"

Strike: ", unless expressly authorized herein"

183. Amend page 421, section 1, line 15.

2/18/77

Following: line 14

Insert: "47A-6-9305. Purpose. This subpart authorizes the establishment of urban transportation districts to supply transportation services and facilities to district residents and other persons.

47A-6-9306. Applicability of subpart. This subpart applies only to urban transportation districts organized before (the effective date of this act).

47A-6-9307. Transportation board — selection — composition. (1) The district shall be governed by a transportation board. The transportation board shall consist of three members.

(2) The board members shall be elected on a nonpartisan basis and shall serve 4-year terms. Any elector in the district may file a declaration of nomination as provided in 47A-3-510 with the county elections administrator of the county where the district is located. No filing fee shall be required. The nonpartisan election of board members shall be conducted as provide in 47A-3-511.

(3) The board members shall serve without pay except for necessary transportation expenses.

47A-6-9308. Powers of transportation board. (1) The board shall have all powers necessary and proper to the establishment, operation, improvement, maintenance, and administration of the transportation district. The district shall primarily serve the residents within the district boundaries but may authorize service outside the district boundaries where deemed appropriate.

(2) The board shall employ a qualified administrative officer for the district. The board shall give public notice of its solicitation of applications for a qualified administrative officer.

47A-6-9309. Budget — mill levy authorized. The board shall annually present its budget to the county finance administrator and certify the amount of money necessary and proper for the ensuing year. The county governing body shall annually at the time of levying county taxes fix and levy a tax in mills upon all property within the transportation district clearly sufficient to raise the amount certified by the board. The tax so levied for all transportation district purposes other than payment of bonded indebtedness shall not in any year exceed 12 mills on each dollar of taxable valuation of property within the district.

47A-6-9310. Duties of county finance administrator — warrants issued by board. The procedure for the collection of the tax shall be in accordance with the existing laws of the state of Montana. The funds collected under the tax levy shall be held by the county finance administrator, the ex officio treasurer for the transportation district, who shall keep a detailed account of all tax moneys paid into the fund, all other moneys from any source received by the district, and all payments and disbursements from the fund. Funds shall be paid out on warrants issued by direction of the board and signed by a majority of its membership.

47A-6-9311. Bond issues authorized. A transportation district may borrow money by the issuance of general obligation or revenue bonds or a combination thereof to provide funds for the district, but the amount of bonds issued for such purpose and outstanding at any time shall not exceed 5% of taxable property therein as ascertained by the last assessment for state and county taxes previous to the issuance of such bonds.

47A-6-9312. Enlargement of district — procedures. The boundaries of any transportation district may be enlarged if at least 51% of the electors of the area to be added to the existing district sign a petition requesting addition to the district; however, each addition must be approved by a majority vote of the transportation board. All property within any addition to the transportation district shall be subject to all existing indebtedness of the district.

47A-6-9313. Procedure for dissolving district. (1) Any transportation district may be dissolved upon presentation to the county elections administrator of a petition signed by at least 51% of the electors of such district. If it is found that the petition is in proper form and bears the requisite number of signatures of qualified petitioners, the county governing body shall by resolution call for a public hearing on the dissolution of the transportation district. If such petition is found to be lacking in the number of signatures, the county elections administrator shall declare the petition void.

(2) A notice of such hearing shall be published once each week for at least 2 weeks in a newspaper having general circulation in the district, the last publication to be at least 2 weeks before the hearing. If there is no newspaper having general circulation in the district, the notice of the hearing shall be posted in at least three public places in the district for 2 weeks before the hearing. The notice shall state the time, date, place, and purpose of the hearing.

(3) If upon such hearing the county governing body finds that the district is not indebted beyond funds immediately available to extinguish all of its debts and obligations and that there is good reason for the dissolution of such district, the governing body shall enter upon their minutes an order dissolving such district. Such order shall be filed of record and the dissolution shall be effective for all purposes 6 months after the date of filing the order of dissolution, provided that at or before such time the board of the district certifies to the county governing body that all debts and obli-



gations of the district have been paid, discharged, or irrevocably settled, together with proof thereof. Any assets of the district remaining after all debts and obligations of the district have been paid, discharged, or irrevocably settled shall be evenly divided between the county and any municipalities within or partially within the dissolved district."

184. Amend page 434, section 1, line 23. 2/14/77  
Following: "and"  
Strike: "sanitation"  
Insert: "environmental health"
185. Amend page 435, section 1, 2/14/77  
lines 15 and 16.  
Following: line 14  
Strike: "services"  
Insert: "programs"  
Following: "agency"  
Strike: "by means of sanitarian services"
186. Amend page 435, section 1, line 19. 2/18/77  
Following: line 18  
Insert: "(4) 'Individual sewage treatment installer' means a person who places, constructs, or alters all or part of an individual sewage treatment system."  
Re-number: subsequent subsections
187. Amend page 436, section 1, line 2. 2/14/77  
Following: line 1  
Insert: "(7) 'Noncategorical' means not designated for a specific program or service."  
Re-number: subsequent subsections
188. Amend page 436, section 1, line 2. 2/14/77  
Following: "health"  
Strike: "services"  
Insert: "programs"  
Following: "those"  
Strike: "services"  
Insert: "programs"
189. Amend page 436, section 1, 2/14/77  
lines 3 and 4.  
Following: "agency"  
Strike: "by means of public health nursing and other professional and ancillary services"
190. Amend page 436, section 1, line 16. 2/18/77  
Following: "services"  
Strike: "at least part-time"
191. Amend page 437, section 1, 2/14/77  
lines 10 and 11.  
Following: "one"  
Strike: "member of the county governing body"  
Insert: "county commissioner"
192. Amend page 438, section 1, 2/14/77  
lines 7 and 8.  
Following: "obtain"  
Strike: ", at least part-time,"



193. Amend page 438, section 1, line 8. 2/14/77  
Following: "of"  
Strike: "."
194. Amend page 438, section 1, line 9. 2/12/77  
Following: line 8  
Strike: "(a)"  
Following: "officer"  
Strike: ","  
Insert: "and may obtain the services of"  
Renumber: subsequent subsections
195. Amend page 438, section 1, 2/14/77  
lines 21 through 22.  
Following: "shall"  
Strike: line 21 through line 22 in their entirety  
Insert: "be contracted with"
196. Amend page 438, section 1, line 23. 2/14/77  
Following: line 22  
Strike: "another"  
Insert: "a"  
Following: "Montana"  
Insert: "and may be obtained from a physician employee of the department"
197. Amend page 439, section 1, 2/14/77  
lines 3 and 4.  
Following: "(6)"  
Strike: lines 3 and 4 in their entirety
198. Amend page 439, section 1, line 5. 2/14/77  
Following: line 4  
Strike: "5934, school"  
Insert: "School"  
Following: "services"  
Strike: "shall"  
Insert: "may"
199. Amend page 439, section 1, line 9. 2/14/77  
Following: "diseases"  
Insert: "designated reportable by the department"
200. Amend page 440, section 1, line 8. 2/12/77  
Following: "those"  
Strike: "required"  
Insert: "authorized"
201. Amend page 440, section 1, line 24. 2/18/77  
Following: line 23  
Insert: "(i) the certification of individual sewage treatment install-  
ers;"  
Renumber: subsequent subsections
202. Amend page 441, section 1, line 5. 2/14/77  
Following: "with"  
Insert: "and are at least as stringent as"
203. Amend page 441, section 1, line 6. 2/14/77  
Following: "department"  
Insert: "or the state board of health and environmental sciences"
204. Amend page 444, section 1, 2/14/77  
lines 16 through 21.

Following: "action."

Strike: line 16 through line 21 in their entirety

Insert: "The proprietor of the establishment may submit a plan for correction of the conditions which caused the closure. If the plan is acceptable and the violations are corrected, the order for closure may be rescinded within the 72-hour period. In no event may a closure under this subsection exceed 72 hours unless there has been no significant effort to correct the violations."

205. Amend page 445, section 1, line 3.

2/14/77

Following: "develop"

Strike: "manuals and handbooks"

Insert: "reference materials"

206. Amend page 445, section 1, line 5.

2/14/77

Following: "The"

Strike: "manuals and handbooks"

Insert: "reference materials"

207. Amend page 445, section 1, line 8.

2/14/77

Following: "(a)"

Strike: "an appropriate local public health program"

Insert: "a description of the optimal practices for each program or service the local health department wishes to provide,"

208. Amend page 445, section 1, line 14.

2/12/77

Following: "state"

Strike: "."

Insert: ". This description shall provide the basis upon which evaluations required in subsection (3) shall be conducted."

209. Amend page 445, section 1,  
lines 15 through 17.

2/12/77

Following: line 14

Strike: line 15 through line 17 in their entirety

Renumber: subsequent subsections

210. Amend page 445, section 1, line 19.

2/14/77

Following: "receiving"

Insert: "noncategorical"

211. Amend page 445, section 1, line 21.

2/14/77

Following: "content"

Insert: "and availability"

212. Amend page 445, section 1, line 22.

2/12/77

Following: "programs"

Strike: "which the department shall conduct"

Insert: "conducted"

213. Amend page 445, section 1, line 24.

2/14/77

Following: "content"

Insert: "and due dates"

214. Amend page 446, section 1, line 1.

2/14/77

Following: "of the"

Strike: "manuals or"

215. Amend page 446, section 1, line 2.

2/14/77

Following: line 1

Strike: "handbooks"

Insert: "reference materials"

Following: "any"

Strike: "rules"

Insert: "proposed rule potentially"

216. Amend page 446, section 1, line 3. 2/14/77

Following: "department"

Insert: "or the state board of health and environmental sciences"

217. Amend page 446, section 1, line 6. 2/14/77

Following: "shall"

Insert: ", within the limits of available resources,"

218. Amend page 446, section 1, line 10. 2/14/77

Following: "provided by"

Strike: "other"

Insert: "nongovernmental"

219. Amend page 446, section 1, line 14. 2/14/77

Following: "body"

Insert: "and to the public upon request"

220. Amend page 446, section 1, line 16. 2/12/77

Following: "required"

Insert: "and authorized"

221. Amend page 446, section 1, line 18. 2/14/77

Following: "county"

Strike: "or school district"

222. Amend page 446, section 1,  
lines 20 and 21. 2/14/77

Following: "county"

Strike: "or school district"

223. Amend page 446, section 1,  
lines 21 and 22. 2/14/77

Following: "county"

Strike: "or school district"

224. Amend page 446, section 1, line 23. 2/14/77

Following: line 22

Insert: "The county shall pay the bill received from the department."

225. Amend page 446, section 1, line 24. 2/14/77

Following: "providing"

Strike: "supportative"

Insert: "supportive"

226. Amend page 446, section 1, line 25. 2/14/77

Following: "shall"

Insert: ", within the limits of available resources"

227. Amend page 447, section 1, line 1. 2/14/77

Following: "consultative"

Strike: "and legal"

228. Amend page 447, section 1,  
lines 5 and 6. 2/14/77

Following: "(b)"

Strike: "coordinate between all bureaus of the department all contracts with and visits and communications"

Insert: "provide adequate advance notice of visits by all personnel"

229. Amend page 447, section 1, line 9. 2/14/77

Following: "(c)"

Strike: "actively and continuously"

230. Amend page 447, section 1,  
lines 19 through 22.

2/14/77

Following: "47A-8-306(7)."

Strike: line 19 through line 22 in their entirety

231. Amend page 448, section 1, line 12.

2/14/77

Following: line 11

Insert: "(f) inspection of state institutions for sanitary conditions;

(g) occupational health programs;

(h) radiological health programs;"

Renumber: subsequent sections

232. Amend page 448, section 1, line 13.

2/14/77

Following: line 12

Insert: "(j) state-level subdivision plan approval;"

Renumber: subsequent subsections

233. Amend page 448, section 1, line 18.

2/14/77

Following: line 17

Insert: "(3) Nothing in subsections (1) and (2) shall be construed to mean that the department is prohibited from offering the above programs to local health departments and boards if it so desires."

Renumber: subsequent subsections

234. Amend page 448, section 1, line 22.

2/14/77

Following: "year"

Insert: "using the latest official population estimate"

235. Amend page 449, section 1, line 14.

2/14/77

Following: "for"

Insert: "noncategorical"

236. Amend page 449, section 1, line 20.

2/14/77

Following: "receive"

Insert: "noncategorical"

237. Amend page 449, section 1, line 21.

2/14/77

Following: "revenues."

Insert: "Combined state and federal noncategorical revenues disbursed by the department shall not constitute more than 50% of the total annual budget of a local health department."

238. Amend page 450, section 1,  
lines 8 through 11.

2/14/77

Following: line 7

Strike: line 8 through line 11 in their entirety

239. Amend page 450, section 1, line 17.

2/14/77

Following: "required by"

Strike: "47A-6-6216"

Insert: "47A-6-6316"

240. Amend page 453, section 1, line 1.

2/18/77

Following: "The"

Strike: "public prosecutor"

Insert: "prosecuting attorney"

241. Amend page 490, section 1,  
lines 9 and 10.

2/18/77

Following: "administrator shall"

Strike: "issue a statement of governmental goals and objectives and"



242. Amend page 490, section 1,  
lines 12 and 13. 2/18/77

Following: "year"

Strike: ", a departmental statement of goals and objectives,"

243. Amend page 510, section 1, line 18. 2/18/77

Following: line 17

Insert: "(12) The governing body may approve an agreement with a contractor to modify or change the specification of a contract. The agreement shall describe the modifications or alterations and the price to be paid for the same and shall be signed by the contractor.

(13) No contractor may be paid for extra work caused by an alteration or modification unless a resolution is made and an agreement signed as provided in the preceding subsection. In any case, no contractor may be paid more for the alteration than the price fixed by the agreement."

Renumber: subsequent subsections

244. Amend page 510, section 1, line 25. 2/18/77

Following: "Title"

Strike: "4"

Insert: "41"

245. Amend page 512, section 1, line 8. 2/18/77

Following: "may"

Strike: "reflect"

Insert: "reject"

246. Amend page 513, section 1, line 9. 2/16/77

Following: line 8

Insert: "47A-9-315. County printing board. (1) The purpose of this section is to require the board of county printing to set maximum prices which may be charged for county printing and legal advertising.

(2) Unless the context requires otherwise, in this section "board" means the board of county printing provided for in 82A-904.

(3) The members of the board shall be compensated and reimbursed as are members of advisory councils in 82A-110.

(4) The board shall:

(a) meet annually;

(b) adopt and publish a schedule of maximum prices to be charged for county printing and legal advertising. The prices shall be the full prices to be charged and shall include the paper stock specified, completion of all printing and other work, and delivery to the county courthouse.

(c) adopt necessary standards for sizes, weights, and grades of paper stock, which shall conform to the uniform scale of sizes, weights, and grades used by paper manufacturers, and for sizes and types of printing, ruling, and binding, which shall conform as nearly as possible to the ordinary standards in use in the printing industry. For this purpose, reference may be made to established standards or publications used in this state, and the board may provide for the adoption of a standard list for those items not covered by the prices, regulations, or standards published by the board.

(d) conduct hearings when required to determine maximum rates for county printing. Notice of intention to hold a hearing shall be published at least 30 days before the date set for the hearing in a newspaper published in Helena and a copy mailed to each county governing body.

(e) deliver free of charge to each county governing body a copy of every schedule of maximum prices adopted by the board within 30 days of its publication, together with a notice of the date fixed by the board when the prices will be effective.

47A-9-316. County printing contract. (1) Each county governing board shall contract with one newspaper to do all the printing for the county, including advertising required by law and all printed forms required by the county, at a rate not exceeding that set by the board. The newspaper shall be as provided in 47A-1-302.

(2) Nothing in this section shall limit or restrict the power of a county governing body to call for competitive bids from persons or firms qualified to bid on county printing under the terms of this section or to let contracts at prices less than the maximum fixed by the board of county printing.

(3) (a) In any county in which no newspaper owns or operates a commercial printing establishment, the county governing body shall separate the printing contract into two parts, one of which shall provide for the publication of legal advertising only, such contract being let to a legally qualified newspaper, and the other contract shall provide for all printed forms, materials, and supplies required by the county, which contract shall be let to a commercial printing establishment which has been in business in the county for at least 1 year; provided, however, that in no case shall any contract call for payment by the county of any prices in excess of the maximum fixed by the board of county printing.

(b) The contract shall be let to the printing establishment that, in the judgment of the county governing body, is most suitable for performing the work; provided that the county governing body shall require of any contractor doing such county printing a good and sufficient deposit in such sum as the governing body may consider advisable, signed by at least two sufficient sureties, conditioned to the effect that said contractor will faithfully perform all of the conditions of said contract in accordance with this act and the terms of such such contract; provided that nothing in this section shall be construed so as to compel the acceptance of unsatisfactory work; also provide that this requirement shall not affect any contract made prior to the passage of this section. Such contract for printing shall extend for a period of not more than 2 years. All printing establishments which receive any contract for printing under this section and which are unable to execute any part of such contract shall be required to sublet such contract or portion of contract to some printing establishment within the county if such is available or, if not, within the state, which shall do the work under the contract so sublet entirely within the state and with Montana labor.

(4) The county governing body shall call for competitive bids from persons or firms qualified to bid on county printing under the terms of this section.

(5) None of the provisions of this section apply to any printing or advertising that may be required in connection with the holding of county fairs and expositions."

247. Amend page 515, section 1, line 4.

2/8/77

Following: "(a)"

Strike: "The"

Insert: "Except as provided in subsection (2)(d), the"

248. Amend page 515, section 1, line 17.

2/8/77

Following: line 16

Insert: "(d) A governing body may not license a public utility as defined in 70-103."

249. Amend page 516, section 1, line 2. 2/10/77  
Following: "with"  
Strike: "other"

250. Amend page 516, section 1, 2/10/77  
lines 18 through 20.  
Following: "(d)"

Strike: lines 18 through 20 in their entirety  
Insert: "The governing body may charge any public or private tax-exempt entity for the following essential services provided the service directly benefits the tax-exempt entity:  
(i) fire prevention and protection;  
(ii) law enforcement protection;  
(iii) water, sewage, and utility services; or  
(iv) solid waste collection, treatment, and disposal services, including recycling and resource recovery services."

251. Amend page 516, section 1, line 25. 2/10/77  
Following: "year."

Insert: "Notwithstanding the provisions of this subsection, the failure of a public or private tax-exempt entity to pay charges imposed under this subsection shall not give rise to a lien on the tax-exempt property. A local government may cease to provide a service, except fire and law enforcement services, to a tax-exempt entity if charges for the service imposed under this subsection remain unpaid."

252. Amend page 520, section 1, line 9. 2/18/77  
Following: "65 mills"  
Strike: "(75 mills)"

253. Amend page 522, section 1, line 8. 2/8/77  
Following: "47A-9-215"  
Strike: "."  
Insert: ":",  
Following: line 8

Insert: "(1) for municipalities, a tax not exceeding 4 mills to pay group insurance premiums for firefighters and law enforcement officers as authorized in 47A-4-209(4)

2/18/77

(m) for counties and municipalities, a tax not exceeding 8 mills for cultural and educational services if there are insufficient moneys available from the all-purpose levy to fund the services. Educational and cultural services may include but need not be limited to libraries, museums, art centers, theaters, civic center auditoriums, and other educational, historic, scientific, or cultural services. This tax may not be for the purpose of supporting any free public education system except where the services purchased or provided by this tax are made available to the general public."

254. Amend page 522, section 1, line 9. 2/12/77  
Following: "(1)"  
Strike: "(a)"

255. Amend page 522, section 1, line 15, 2/12/77  
through page 523, line 9.  
Following: line 14  
Strike: line 15, page 522, through line 9, page 523, in their entirety

256. Amend page 528, section 1, line 10. 2/18/77  
Following: line 9  
Insert: "administration, collection, and"



257. Amend page 528, section 1, line 15. 2/18/77  
 Following: "tax"  
 Insert: "and may be subsequently modified by agreement of the governing bodies"
258. Amend page 528, section 1, line 19. 2/12/77  
 Following: line 18  
 Insert: "47A-9-408. Election required to impose certain taxes. (1) A local government may impose or repeal a tax authorized by 47A-9-405, 47A-9-406, or 47A-9-407 only after an affirmative vote of the electors of the local government who are residents of the jurisdiction which is or will be subject to the tax.  
 (2) The question may be presented to the electors of the local government by:  
 (a) a petition of the electors of the local government; or  
 (b) a resolution of the governing body of the local government.  
 (3) Upon the receipt of a petition or a resolution requesting an election, the question on the local tax shall be placed on the ballot at the next regularly scheduled election of the local government.  
 (4) The question shall be presented substantially in the form:  
☐ FOR the local government (insert name of tax).  
☐ AGAINST the local government (insert name of tax).  
 (5) The question of imposition of a local tax may not be placed before the electors more than one time in any one fiscal year."  
 Renumber: subsequent section
259. Amend page 528, section 1, lines 20 and 21. 2/18/77  
 Following: "shall"  
 Strike: "distribute to a local government on a quarterly basis"  
 Insert: "coordinate the distribution to local governments of"
260. Amend page 529, section 1, line 1. 2/18/77  
 Following: "that the"  
 Strike: "revenue may be distributed"  
 Insert: "distribution of revenue may be coordinated"
261. Amend page 530, section 1, line 17. 2/16/77  
 Following: "levied"  
 Strike: "for"  
 Insert: "on property within"  
 Following: "district"  
 Insert: ", together with any revenues pledged thereof as provided in 47A-9-511"
262. Amend page 532, section 1, lines 18 through 22. 2/16/77  
 Following: line 17  
 Strike: Subsection (5) in its entirety  
 Renumber: subsequent subsection
263. Amend page 532, section 1, line 24. 2/16/77  
 Following: "revenues"  
 Strike: "of a project"  
 Insert: "from charges from a service"
264. Amend page 534, section 1, lines 5 through 9. 2/16/77  
 Following: line 4  
 Strike: 47A-9-504 in its entirety
265. Amend page 534, section 1, line 17. 2/16/77



Following: "contract"

Insert: "or lease-purchase agreement"

266. Amend page 534, section 1,  
lines 24 and 25.

2/16/77

Following: "into"

Strike: "a conditional sale contract"

Insert: "an installment contract"

267. Amend page 535, section 1, line 2.

2/16/77

Following: "thereunder,"

Insert: "without obligation to provide such payment in its annual budget,"

268. Amend page 535, section 1, line 11.

2/16/77

Following: "services"

Insert: "to be"

269. Amend page 535, section 1,  
lines 14 through 15.

2/16/77

Following: "affairs"

Strike: "shall by rule prescribe bond signature requirements, the manner of execution and the form of"

Insert: "prepare suggested forms for"

270. Amend page 535, section 1, line 16.

2/16/77

Following: "notices"

Insert: "and suggested procedures for execution of bonds"

271. Amend page 537, section 1, line 4,  
through page 538, line 24.

2/16/77

Following: "(a)"

Strike: line 4, page 537, through line 24, page 538

Insert: "Except as provided below, no county may issue general obligation bonds which would cause the total amount of its outstanding general obligation bonds less funds held and appropriated for their payment to exceed 2 ½% of the assessed value of all taxable property in the county.

(b) The governing body may issue general obligation bonds which would cause its outstanding general obligation bonds less funds held and appropriated for their payment to exceed 2 ½% but not 5% of the assessed value of all taxable property in the county, when necessary for the purpose of replacing, rebuilding, or repairing county buildings, bridges, or highways which have been destroyed or damaged by accident or catastrophe.

(c) The governing body may issue additional general obligation bonds for the purposes of a county water distribution and supply system, sewage collection and treatment system, or public transportation system, in an amount which will at no time cause the total amount of bonds issued for these purposes less funds held and appropriated for their payment to exceed 10% of the assessed value of the taxable property in the county.

(2) (a) Except as provided below, no municipality may issue general obligation bonds which would cause the total amount of its general obligation bonds less funds held and appropriated for their payment to exceed 5% of the assessed value of all taxable property in the municipality.

(b) The governing body may issue additional general obligation bonds for the purposes of a municipal water distribution and supply system, a sewage collection and treatment system, or public transportation system, in an amount which will at no time cause the

total amount of general obligation bonds issued for these purposes less funds held and appropriated for their payment to exceed 10% of the assessed value of the taxable property in the municipality.

(3) (a) Except as provided below, no consolidated local government may issue general obligation bonds which would cause the total amount of its general obligation bonds less funds held and appropriated for their payment to exceed 7 ½% of the assessed value of all taxable property in the consolidated local government.

(b) The governing body may issue additional general obligation bonds for the purpose of a local government water distribution and supply system, sewage collection and treatment system, or public transportation system, in an amount which will at no time cause the total amount of general obligation bonds issued for the purposes less funds held and appropriated for their payment to exceed 10% of the assessed value of the taxable property in consolidated local government."

272. Amend page 538, section 1, line 24. 2/16/77  
Following: line 24

Insert: "(4) general obligation-revenue bonds issued under the provisions of 47A-9-511(3) shall not be included in applying any of the limitations on general obligation bonds provided in this section."

Renumber: subsequent subsections

273. Amend page 539, section 1, line 14. 2/16/77  
Following: "finance"

Insert: "the project costs of"

274. Amend page 539, section 1, line 15. 2/16/77  
Following: line 14

Strike: "provide"

Insert: "perform"

Following: "or"

Strike: "facility"

Insert: "function"

275. Amend page 539, section 1, line 16. 2/16/77  
Following: "in"

Strike: "47A-9-513"

Insert: "47A-9-512"

276. Amend page 539, section 1, line 19. 2/16/77  
Following: "ordinance"

Strike: "may"

Insert: "shall"

277. Amend page 539, section 1, line 20. 2/16/77  
Following: "purposes"

Insert: "of the bonds"

Following: "amounts"

Strike: ", for which the bonds will be used"

Insert: "of proceeds to be expended for each purpose"

278. Amend page 540, section 1, line 8. 2/16/77  
Following: "election"

Strike: "of"

Insert: "on"

Following: "obligation"

Strike: "bond"

Insert: "bonds"

279. Amend page 541, section 1, line 17. 2/16/77

Following: "respect to"

Insert: "revenue"

280. Amend page 541, section 1, line 19.

2/16/77

Following: "facility,"

Strike: "providing"

Insert: "needed for the furnishing of one or more governmental services provided that"

281. Amend page 541, section 1, line 21.

2/16/77

Following: "for"

Strike: "the"

Insert: "such"

Following: "service"

Strike: "of the facility"

Insert: "or services,"

282. Amend page 541, section 1, line 24.

2/16/77

Following: "maintenance"

Strike: "of the facility"

283. Amend page 542, section 1, line 4.

2/16/77

Following: "in"

Strike: "47A-9-526"

Insert: "47A-9-525"

284. Amend page 542, section 1, line 6.

2/16/77

Following: "bonds"

Strike: ", they"

Insert: "and"

285. Amend page 543, section 1,  
line 15 through page 544, line 2.

2/16/77

Following: "(4)"

Strike: subsection (4) in its entirety

Insert: "for the purpose of refunding bonds as provided in 47A-9-517."

286. Amend page 544, section 1, line 5.

2/16/77

Following: "finance"

Strike: "a project to provide"

Insert: "the project costs for"

Following: "facility"

Insert: "needed for the furnishing of one or more services"

287. Amend page 544, section 1, line 15.

2/16/77

Following: "adoption."

Insert: "A revenue bond authorization ordinance initiated or referred to the electors and not approved by the required majority may not be reinitiated or referred or adopted by the governing body within the same fiscal year."

288. Amend page 544, section 1, line 23.

2/16/77

Following: "execution of"

Insert: "an"

289. Amend page 545, section 1, line 5.

2/16/77

Following: "thereof"

Insert: ", including the establishment of a bond reserve"

290. Amend page 545, section 1,  
lines 6 and 7.

2/16/77

Following: "revenue"

Strike: "of the facility"

Insert: "from the service"

Following: "which"

Strike: "the bonds are to be issued"

Insert: "a facility is needed"

291. Amend page 545, section 1, line 9.

2/16/77

Following: "the"

Strike: "transfer"

Insert: "payment"

292. Amend page 545, section 1, line 10.

2/16/77

Following: "government"

Strike: "to the facility an amount"

Insert: "of amounts"

Following: "the"

Insert: "annual"

293. Amend page 545, section 1, line 14.

2/16/77

Following: "revenue"

Strike: "of the facility"

Insert: "from the same service"

294. Amend page 545, section 1, line 22.

2/16/77

Following: "of"

Insert: "a"

295. Amend page 546, section 1, line 3.

2/16/77

Following: "court"

Strike: ". The district court"

Insert: ", which"

296. Amend page 546, section 1, line 6.

2/16/77

Following: "charges"

Strike: "subject to the approval of the public service commission"

297. Amend page 546, section 1, line 9.

2/16/77

Following: "do"

Strike: " "

Insert: " ,"

298. Amend page 546, section 1,  
lines 17 through 18.

2/16/77

Following: "from"

Strike: "the facility in the following manner"

Insert: "charges for the services which are needed in order"

299. Amend page 546, section 1, line 23.

2/16/77

Following: line 22

Strike: "of the facility"

300. Amend page 547, section 1, line 1.

2/16/77

Following: "revenue"

Strike: "of the facility"

301. Amend page 548, section 1, line 15.

2/16/77

Following: "the"

Insert: "project"

302. Amend page 549, section 1, line 5.

2/16/77

Following: "sanitary,"

Strike: "or"

Following: "storm sewer"

Insert: ", parking, or other revenue producing system"



303. Amend page 549, section 1, line 6. 2/16/77  
 Following: "on"  
 Strike: "the"  
 Following: "bonds"  
 Insert: "for facilities included in the systems"
304. Amend page 550, section 1, line 23. 2/16/77  
 Following: "revolving"  
 Strike: "account"  
 Insert: "fund"
305. Amend page 551, section 1, lines 20 through 23. 2/18/77  
 Following: "(3)"  
 Strike: line 20 through line 23 in their entirety  
 Insert: "Refunding bonds may bear interest at a rate lower or higher than the bonds refunded thereby if they are issued to refund matured principal or interest for the payment of which revenues on hand are not sufficient or if the refunding bonds are combined with an issue of new bonds for reconstruction, improvement, betterment, or extension, and the lien of such new bonds upon the revenues of the undertaking must be junior and subordinate to the lien of the outstanding bonds refunded, under the terms of the ordinances or resolutions authorizing the outstanding bonds, as applied to circumstances existing on the date of refunding. Except as authorized in the preceding sentence, refunding bonds shall not be issued unless their average annual interest rate, computed to their stated maturity dates and excluding any premium from such computation, is at least  $\frac{3}{8}$  of 1% less than the average annual interest rate on the bonds refunded thereby, computed to their respective stated maturity dates."
306. Amend page 552, section 1, line 17. 2/16/77  
 Following: line 16  
 Strike: "indebtedness"  
 Insert: "obligation"
307. Amend page 552, section 1, line 18. 2/16/77  
 Following: "outstanding"  
 Strike: "indebtedness"  
 Insert: "obligation"
308. Amend page 552, section 1, line 19. 2/18/77  
 Following: line 18  
 Insert: "(8) In any case where refunding bonds are issued and sold 6 months or more before the date on which all bonds refunded thereby mature or have been called for prepayment in accordance with their terms, the proceeds of the refunding bonds, including any premium and accrued interest, shall be deposited in escrow with a suitable bank or trust company having its principal place of business within or without the state, which is a member of the federal reserve system and has a combined capital and surplus not less than \$1 million and shall, with other funds of the local government available and appropriated by the governing body for this purpose, be invested in such amount and in securities maturing on such dates and bearing interest at such rates as shall be required to provide funds sufficient to pay when due the interest to accrue on each bond refunded to its maturity or, if it is prepayable, to the prior date upon which such bond has been called for redemption and to pay and redeem the principal amount of each such bond at maturity

or, if prepayable, at the date upon which it has been called for redemption and any premium required for redemption on such date; and the resolution or ordinance authorizing the refunding bonds shall irrevocably appropriate for these purposes the escrow fund and all income therefrom and shall provide for the call of all bonds which have been called for prepayment in accordance with their terms. The securities to be purchased with the escrow fund shall be limited to general obligations of the United States, securities whose principal and interest payments are guaranteed by the United States, and securities issued by the following United States government agencies: banks for cooperatives, federal home loan banks, federal intermediate credit banks, federal land banks, and the federal national mortgage association.

(9) Revenues and other moneys on hand, in excess of amounts pledged by ordinances and resolutions authorizing outstanding bonds for the payment of principal and interest currently due thereon and reserves securing such payment, may be used to pay the expenses incurred by the local government for the purpose of such refunding, including but without limitation the cost of advertising and printing refunding bonds, legal and financial advice and assistance in connection therewith, and the reasonable and customary charges of escrow agents and paying agents. Revenues and other funds on hand, including reserves pledged for the payment and security of outstanding revenue bonds, may be deposited in an escrow fund created for the retirement of such bonds and may be invested and disbursed as provided in subsection (8) hereof to the extent consistent with the ordinances or resolutions authorizing such outstanding bonds."

309. Amend page 552, section 1, line 22.

2/18/77

Following: "if"

Insert: "the governing body has applied for a grant or loan of state or federal funds to aid in payment of the project costs and"

310. Amend page 553, section 1, line 6.

2/18/77

Following: "exceed"

Strike: "1 year"

Insert: "3 years"

311. Amend page 553, section 1,  
lines 12 through 24.

2/18/77

Following: "(3)"

Strike: line 12 through line 24 in their entirety

Insert: "In this event the proceeds of the grant or loan received shall be irrevocably appropriated to the debt service account for the bond anticipation notes. Any amount of bond anticipation notes which cannot be paid at maturity from the proceeds of the grant or loan or from any other moneys appropriated by the governing body for this purpose shall be paid from the proceeds of definitive bonds to be issued and sold before the maturity date; or if sufficient moneys are not available for payment in full of the temporary bonds at maturity, the holders thereof shall have the right to require the issuance in exchange therefor of definitive bonds secured in the manner provided by law and agreed to by the local government."

312. Amend page 555, section 1, line 6.

2/16/77

Following: "(1)"

Strike: "The"

Insert: "Except as provided in this title, the"

313. Amend page 555, section 1, line 7. 2/16/77  
Following: "bonds"  
Insert: ", except that bonds may be sold at a private sale to an agency or subdivision of the state or federal government"
314. Amend page 555, section 1, line 24. 2/16/77  
Following: "be"  
Strike: "fully"  
Following: "negotiable"  
Insert: "investment securities as provided in chapter 8 of Title 87A"
315. Amend page 556, section 1, lines 10 through 11. 2/16/77  
Following: "bidder of"  
Strike: "an indemnity bond"  
Insert: "security"
316. Amend page 556, section 1, line 20. 2/16/77  
Following: "obligation"  
Strike: "and revenue"
317. Amend page 557, section 1, line 6. 2/16/77  
Following: "bonds"  
Strike: "shall"  
Insert: "may"
318. Amend page 557, section 1, line 7. 2/16/77  
Following: "provided"  
Strike: "in Title 79, chapter 20."  
Insert: "by law."
319. Amend page 557, section 1, line 17. 2/16/77  
Following: "bond"  
Strike: "register"  
Insert: "record"
320. Amend page 557, section 1, line 20, through page 559, line 8. 2/16/77  
Following: line 19  
Strike: 47A-9-523 in its entirety
321. Amend page 559, section 1, lines 18 through 19. 2/16/77  
Following: "of"  
Strike: "an interested party of 10 or more registered voters of the local government"  
Insert: "any one citizen filing with the district court"
322. Amend page 559, section 1, line 23 through page 560, line 3. 2/16/77  
Following: "(b)"  
Strike: "If no petition is filed within the period, compliance with all procedures required by this title and the validity of the manner in which the bond authorizing ordinance was approved shall be conclusively presumed. It shall be presumed that proper procedure was followed and all procedural requirements were met."  
Insert: "No action shall be brought or maintained after the expiration of 60 days from the date of the approval of the bond authorizing ordinance, in which an issue is raised as to the validity of the bond authorization therein."
323. Amend page 560, section 1, line 18. 2/16/77



Following: "47A-9-525."

Strike: "Liability of members of governing body"

Insert: "Insufficient levy of taxes, service charges and special assessments by the governing body"

324. Amend page 561, section 1, line 3. 2/16/77

Following: "levy"

Insert: "of service charges"

325. Amend page 561, section 1, line 7. 2/16/77

Following: "has"

Strike: "willfully"

326. Amend page 561, section 1, line 8. 2/16/77

Following: "levy"

Insert: "of service charges"

327. Amend page 561, section 1, line 9. 2/16/77

Following: "levy"

Insert: "of service charges"

328. Amend page 561, section 1, line 13. 2/16/77

Following: "levies"

Insert: "of service charges"

329. Amend page 561, section 1, line 15. 2/16/77

Following: "levy"

Insert: "of service charge"

330. Amend page 561, section 1, line 21. 2/16/77

Following: "government"

Strike: "that fails"

Insert: "who willfully fail"

331. Amend page 563, section 1,  
lines 11 through 12. 2/16/77

Following: "expended"

Strike: "during the balance of the fiscal period and"

Insert: "pursuant to the budget"

332. Amend page 563, section 1, line 14. 2/16/77

Following: "liquidating"

Strike: "current debt"

Insert: "warrants for the payment of current expenses"

333. Amend page 567, section 2,  
lines 6 and 7. 2/9/77

Following: "ordinance"

Strike: "if no question is raised as to the legality of the ordinance"

334. Amend page 567, section 2, line 25. 2/9/77

Following: ";

Insert: "and"

335. Amend page 568, section 2, line 2. 2/9/77

Following: ";

Strike: "and"

336. Amend page 568, section 2, line 3. 2/9/77

Following: line 2

Strike: line 3 in its entirety

Insert: "(3) concurrent jurisdiction with district courts in actions of forcible entry and unlawful detainer regardless of the amount in controversy;"



Renumber: subsequent subsection

337. Amend page 568, section 2,  
lines 12 through 14. 2/9/77

Following: "Drug Act"

Strike: ", except to act as examining and committing courts and to  
conduct preliminary hearings as provided in subsection (4)"

Insert: "and the Montana Youth Court Act"

338. Amend page 568, section 2, line 22. 2/9/77

Following: "punishable"

Insert: "only"

339. Amend page 570, section 2, line 7. 2/9/77

Following: "reports"

Strike: ", "

Following: "writing"

Strike: "and under oath,"

340. Amend page 571, section 2, line 14. 2/9/77

Following: "municipality"

Strike: ":",

341. Amend page 571, section 2,  
lines 15 and 16. 2/9/77

Following: line 14

Strike: lines 15 and 16 in their entirety

342. Amend page 571, section 2, line 17. 2/9/77

Following: line 16

Strike: "(b)"

343. Amend page 571, section 2, line 19. 2/9/77

Following: line 18

Insert: "(2) concurrent jurisdiction with district courts and justice  
courts in proceedings for violation of state law within the municipi-  
pality punishable by a fine not exceeding \$500 or by imprisonment  
not exceeding 6 months or by both fine and imprisonment. The  
proceedings are to be brought in the name of the state of Montana."

Renumber: subsequent subsections

344. Amend page 571, section 2, line 19. 2/9/77

Following: "jurisdiction"

Insert: "with district courts and justice courts"

345. Amend page 572, section 2, line 13. 2/9/77

Following: ":",

Insert: "and"

346. Amend page 572, section 2,  
lines 16 through 21. 2/9/77

Following: ":",

Strike: lines 16 through 21 in their entirety

347. Amend page 573, section 2, line 22. 2/18/77

Following: line 21

Insert: "11-50-204. Municipal courts of record. (1) A municipality  
having a population of 10,000 or more may by ordinance provide  
that the municipal court be a court of record.

(2) A municipal court of record shall be governed by the provisions  
of this chapter, except:

(a) the judge of a municipal court of record shall be elected;

(b) the judge of a municipal court of record must possess the same

qualifications as a district court judge except that the judge of a municipal court of record need only be admitted to the practice of law in Montana at least 2 years prior to the date of his election or appointment;

(c) the jurisdiction of municipal courts of record is the same as justice courts and municipal courts.

(d) The municipal court shall have and use a seal which shall be similar to the seal of the district court except as to the name of the court.

(3) The municipal court of record shall have in matters within its jurisdiction all the powers of the district court in like cases.

(4) A party may appeal to district court from a judgment of a municipal court of record.

(5) The appeal shall be confined to the record. Stenographic or other official records of proceedings in municipal court may be waived by the written consent of all parties in contested cases, in accordance with the rules of the court. An appeal on stipulated issues or agreed facts by the written consent of both parties may be made to the district court where such issues or facts may be considered by the district judge with or without additional testimony.

(6) Appeal from a municipal court of record may be limited by requiring by ordinance that a minimum amount in controversy, not to exceed \$200, be met before the district court has jurisdiction to hear the appeal, except:

(a) if the judgment of the municipal court of record includes incarceration, no minimum amount in controversy shall be required for appeal; and

(b) upon petition by an aggrieved party, the district court may in the interest of justice accept appeal jurisdiction notwithstanding the amount in controversy.

(7) The municipal court of record shall establish rules for appeal to district court. The rules are subject to the supreme court's rulemaking and supervisory authority."

348. Amend page 574, section 2, line 13.

2/9/77

Following: "of the"

Strike: "county."

Insert: "state. When a summons issued by a justice of the peace is to be served out of the county in which it was issued, the summons shall have attached to it a certificate under seal by the records administrator of the county in which it was issued, to the effect that the person issuing the same was an acting justice of the peace at the date of the summons."

349. Amend page 574, section 2,  
line 17 through page 576, line 3.

2/9/77

Following: "Every"

Strike: line 17, page 574 through line 3, page 576 in their entirety

Insert: "judge shall keep a docket according to the rules promulgated by the supreme court."

Renumber: subsequent subsection

350. Amend page 576, section 2,  
line 10 through page 577, line 8.

2/9/77

Following: "(1)"

Strike: line 10, page 576 through line 8, page 577 in their entirety

Insert: "Disqualification of judges and holding court by other than the judge of that court shall be governed by rules promulgated by the supreme court."

Renumber: subsequent subsections

351. Amend page 577, section 2,  
lines 12 through 14. 2/9/77  
Following: line 11  
Strike: lines 12 through 14 in their entirety
352. Amend page 578, section 2, line 4. 2/18/77  
Following: line 3  
Insert: "each candidate shall specify"
353. Amend page 578, section 2, line 10. 2/9/77  
Following: "on a"  
Strike: "partisan or"
354. Amend page 578, section 2, line 11. 2/9/77  
Following: "nonpartisan"  
Insert: "judicial"
355. Amend page 578, section 2, line 15. 2/10/77  
Following: line 14  
Insert: "(3) An appointed municipal judge may be removed from  
office only for cause."
356. Amend page 578, section 2, line 17. 2/18/77  
Following: "begin"  
Strike: line 17 in its entirety  
Insert: "on the same day as terms begin for county officers as provided  
in 47A-3-504."
357. Amend page 578, section 2, line 19. 2/9/77  
Following: line 18  
Strike: "set by ordinance"  
Insert: "4 years"
358. Amend page 579, section 2, line 13. 2/9/77  
Following: line 12  
Strike: "do so"  
Insert: "take the course"
359. Amend page 579, section 2, line 20. 2/9/77  
Following: "the"  
Strike: "vacancy"  
Insert: "vacant office"
360. Amend page 580, section 2, line 6. 2/9/77  
Following: "Hours."  
Strike: "(1)"
361. Amend page 580, section 2,  
lines 9 and 10. 2/9/77  
Following: line 8  
Strike: lines 9 and 10 in their entirety.
362. Amend page 580, section 2,  
lines 11 through 17. 2/9/77  
Following: "The"  
Strike: lines 11 through 17 in their entirety  
Insert: "salary of a justice of the peace shall be set by ordinance or  
by interlocal agreement."
363. Amend page 580, section 2, line 23. 2/9/77  
Following: "of a"

- Strike: "county"  
Insert: "local government"
364. Amend page 581, section 2, line 15. 2/9/77  
Following: "and"  
Strike: "the annual"  
Following: "sessions"  
Insert: "authorized by the supreme court"
365. Amend page 581, section 2, line 23. 2/9/77  
Following: "cases"  
Strike: "shall"  
Insert: "may"
366. Amend page 581, section 2, line 24. 2/9/77  
Following: "court"  
Strike: "shall"  
Insert: "may"
367. Amend page 582, section 2, line 8. 2/9/77  
Following: "of the"  
Strike: "municipal"
368. Amend page 583, section 2, line 8. 2/9/77  
Following: ","  
Insert: "and"
369. Amend page 583, section 2, line 10. 2/9/77  
Following: "license"  
Strike: ","  
Insert: " "
370. Amend page 583, section 2,  
lines 11 through 13. 2/9/77  
Following: line 10  
Strike: line 11 through 13 in their entirety
371. Amend page 584, section 2, line 13. 2/9/77  
Following: ","  
Insert: "and"
372. Amend page 584, section 2,  
lines 15 through 17. 2/17/77  
Following: "as a"  
Strike: lines 15 through 17 in their entirety  
Insert: "conviction."
373. Amend page 592, section 6, line 1. 2/16/77  
Following: "(municipality)"  
Strike: "county"  
Insert: "municipality"
374. Amend page 592, section 6, line 2. 2/16/77  
Following: "to"  
Strike: "provisions of law authorizing"  
Following: "(subdivisions)"  
Strike: "counties of this state to levy taxes for airport purposes"  
Insert: "1-917"
375. Amend page 592, section 6, line 5. 2/16/77  
Following: "by"  
Strike: "the laws of this state for airport purposes"  
Insert: "1-917"



376. Amend page 592, section 6, line 9. 2/16/77  
Following: "(municipality)"  
Strike: "county shall collect the"
377. Amend page 592, section 6, line 10. 2/16/77  
Following: "authority"  
Insert: "shall be collected"
378. Amend page 592, section 6, line 11. 2/16/77  
Following: line 10  
Strike: "levied and"  
Following: "and"  
Strike: "make"  
Following: "payment"  
Insert: "shall be made"
379. Amend page 593, section 7, line 1. 2/16/77  
Following: "1-917"  
Strike: "County"  
Insert: "Municipality"
380. Amend page 593, section 7, line 2. 2/16/77  
Following: "In"  
Strike: "counties"  
Insert: "municipalities"  
Following: "a"  
Strike: "levy"  
Insert: "tax"
381. Amend page 593, section 7, line 3. 2/16/77  
Following: "be"  
Strike: "made"  
Insert: "levied"
382. Amend page 593, section 7, line 4. 2/16/77  
Following: "purposes"  
Strike: ". The levy shall not exceed the equivalent of 2 mills."  
Insert: ", against the taxable property therein in an amount not to exceed 2 mills on the value thereof, and such tax shall be in addition to all other taxes authorized to be levied by the municipality."
383. Amend page 611, section 20, 2/18/77  
lines 8 and 9.  
Following: line 7  
Strike: lines 8 and 9  
Insert: "held on a date other than the date of a school, primary, general, or other election regularly scheduled by law; or an election on one or more particular issues held in conjunction with but not required by law to coincide with a regularly scheduled election;"
384. Amend page 619, section 28, line 7, 2/18/77  
through page 620, line 14.  
Following: line 6  
Strike: line 7, page 619, through line 14, page 620, in their entirety
385. Amend page 629, section 35, line 10. 2/14/77  
Following: "department."  
Insert: "The local health officer shall, within 30 days after the department has made a decision to issue a license under this chapter, make a final decision on whether the license will be validated. If the local health officer refuses to validate the license, he

shall notify the applicant, the department, and any other interested person in writing. The applicant may appeal the decision to the state board of health and environmental sciences within 30 days after receiving written notice of the local health officer's decision. The hearing before the state board of health and environmental sciences shall be held pursuant to the contested case procedures of the Montana Administrative Procedure Act."

386. Amend page 653, section 54, line 20. 2/14/77

Following: "department."

Insert: "The local health officer shall, within 30 days after the department has made a decision to issue a license under this chapter, make a final decision on whether the license will be validated. If the local health officer refuses to validate the license, he shall notify the applicant, the department, and any other interested person in writing. The applicant may appeal the decision to the state board of health and environmental sciences within 30 days after receiving written notice of the local health officer's decision. The hearing before the state board of health and environmental sciences shall be held pursuant to the contested case procedures of the Montana Administrative Procedure Act."

387. Amend page 661, section 60, line 15, 2/18/77  
through page 671, line 9.

Following: line 14

Strike: line 15, page 661, through line 9, page 671

388. Amend page 682, section 83, line 12. 2/18/77

Following "(15)"

Strike: "47A-6-6134"

Insert: "47A-6-6234"

389. Amend page 682, section 83, line 13. 2/18/77

Following: "for firefighters:"

Strike: "47A-6-6220"

Insert: "47A-6-6320"

390. Amend page 697, section 106, line 8. 2/18/77

Following: "June"

Strike: "1"

Insert: "30"

391. Amend page 714, section 117, line 21. 2/18/77

Following: "69-2112"

Strike: "(a)"

Insert: "(1)"

392. Amend page 730, section 132, line 10. 2/18/77

Following: "renumbered"

Strike: "66-1015.1"

Insert: "66-1050.1"

393. Amend page 730, section 132, line 11. 2/18/77

Following: "(69-4514)"

Strike: "66-1015.1"

Insert: "66-1050.1"

394. Amend page 734, section 134, line 1. 2/14/77

Following: "department."

Insert: "The local health officer shall, within 30 days after the department has made a decision to issue a license under this chapter, make a final decision on whether the license will be vali-

dated. If the local health officer refuses to validate the license, he shall notify the applicant, the department, and any other interested person in writing. The applicant may appeal the decision to the state board of health and environmental sciences within 30 days after receiving written notice of the local health officer's decision. The hearing before the state board of health and environmental sciences shall be held pursuant to the contested case procedures of the Montana Administrative Procedure Act."

395. Amend page 738, section 136, line 8. 2/14/77  
 Following: "water"  
 Strike: "and"  
 Insert: "or"
396. Amend page 738, section 136, line 10. 2/18/77  
 Following: "as provided in"  
 Strike: "47A-6-8209"  
 Insert: "47A-6-8207"
397. Amend page 738, section 137, line 15. 2/8/77  
 Following: line 14  
 Insert: "and natural gas lines"  
 Following: "along"  
 Insert: "and under"
398. Amend page 738, section 137, line 16. 2/8/77  
 Following: line 15  
 Insert: "natural gas,"
399. Amend page 738, section 137, line 20. 2/8/77  
 Following: "electricity"  
 Insert: "or natural gas"
400. Amend page 738, section 137, line 22. 2/8/77  
 Following: "telephone,"  
 Insert: "natural gas,"
401. Amend page 738, section 137, line 23. 2/8/77  
 Following: "along"  
 Strike: "and"  
 Insert: ", under, or"
402. Amend page 739, section 137, line 1. 2/8/77  
 Following: "wires"  
 Insert: "or lines"
403. Amend page 739, section 137, line 2. 2/8/77  
 Following: "(incommode)"  
 Strike: "inconvenience"  
 Insert: "impede"
404. Amend page 744, section 142, 2/12/77  
 line 21 through page 745, line 24.  
 Following: line 20  
 Strike: line 21, page 744, through line 24, page 745, in their entirety  
 Renumber: subsequent sections
405. Amend page 773, section 166, 2/18/77  
 lines 4 through 17.  
 Following: line 3  
 Strike: line 4 through line 17 in their entirety  
 Renumber: all subsequent sections

406. Amend page 774, section 168, line 21. 2/18/77  
 Following: "(1947,)"  
 Strike: "11-46-202"  
 Insert: "11-1824"
407. Amend page 775, section 168, line 4. 2/18/77  
 Following: "(1947,)"  
 Strike: "11-46-202"  
 Insert: "11-1824"
408. Amend page 776, section 169, line 2. 2/18/77  
 Following: "(1947,)"  
 Strike: "11-46-202"  
 Insert: "11-1824"
409. Amend page 776, section 169, line 8. 2/18/77  
 Following: "(1947,)"  
 Strike: "11-46-202"  
 Insert: "11-1824"
410. Amend page 776, section 170,  
 line 11, through page 777, line 2. 2/16/77  
 Following: line 10  
 Strike: line 11, page 776, through line 2, page 777, in their entirety  
 Renumber: all subsequent sections
411. Amend page 778, section 172,  
 line 23, through page 779, line 8. 2/18/77  
 Following: line 22  
 Strike: line 23, page 778, through line 8, page 779, in their entirety
412. Amend page 782, section 175, line 4. 2/18/77  
 Following: line 3  
 Strike: "Title 11, chapter 48"  
 Insert: "11-1925, 11-1926, and 11-1927"
413. Amend page 782, section 175, line 8. 2/18/77  
 Following: "chapter"  
 Strike: "46"  
 Insert: "18"
414. Amend page 786, section 179, line 2. 2/18/77  
 Following: line 1  
 Insert: "Section 180. Section 93-102, R.C.M. 1947, is amended to  
 read as follows:  
 '93-102. Courts of record. (The courts enumerated in the first three  
 subdivisions of the last preceding section, and only those courts) the court  
 of impeachment, the supreme court, the district courts, and municipal  
 courts of record are courts of record.'  
 Renumber: subsequent sections
415. Amend page 799, section 185, line 20. 2/18/77  
 Following: "in"  
 Strike: "11-5102 and 11-5103"  
 Insert: "11-50-102 and 11-50-103"
416. Amend page 800, section 186, line 13. 2/18/77  
 Following: "by"  
 Strike: "11-5002"  
 Insert: "11-50-202"
417. Amend page 804, section 189, line 23. 2/18/77  
 Following: "(Limitations)"



Strike: "services"

Insert: "Limitations"

418. Amend page 806, section 190, line 7.

2/14/77

Following: line 6

Strike: line 7 in its entirety

419. Amend page 809, line 2.

2/18/77

Following: line 1

Insert: Section 193. Section 11-1809, R.C.M. 1947, is amended to read as follows:

'11-1809. Rights upon reinstatement.

2/14/77

(An applicant for reinstatement under the provisions of section 11-1808 may be reinstated and passed into) A police officer who has retired from a police department and who subsequently rejoins the police department may later pass to the reserve list of police officers so as to enjoy all the benefits, pensions and rights which accrue to police officers placed on the reserve list in said city or town; and provided further that the pension benefits to be allowed to such reinstated officer shall be computed upon the basis of his last full year of active service on said police force.'

Section 194. Section 11-2007, R.C.M. 1947, is amended to read as follows:

'11-2007. Duties of chief.

2/18/77

The chief of every fire department (must inquire into the cause of every fire occurring in the town of which he is the chief, and keep a record thereof; he must aid in the enforcement of all fire ordinances duly enacted, examine buildings in process of erection, report violations of ordinances relating to prevention or extinguishment of fires, and, when directed by the proper authorities, institute prosecutions therefor, and perform such other duties as may be by proper authority imposed upon him. His compensation, if any, must be fixed and paid by the city or town authorities. He must attend all fires with his badge of office conspicuously displayed, must prevent injury to, take charge of, and preserve all property rescued from fires, and return the same to the owner thereof on the payment of the expenses incurred in saving and keeping the same, the amount thereof, when not agreed to, to be fixed by any justice of the peace.

He) must devise and formulate or cause to be devised and formulated a course or plan of instruction or training program making available to each regular member of his department not less than thirty (30) hours of instruction per year in matters pertaining to fire fighting, and he must supervise the operation of such plan or program. On or before the first day of September of each year, he must prepare and file with the public employees' retirement system of the state of Montana a certificate, subscribed and verified under oath, stating whether or not his volunteer fire company qualified under the provisions of subparagraph two (2) A of section 11-2023 during the preceding fiscal year, and setting forth the full name and residence address of each member of his department who satisfactorily completed such thirty (30) hours of instruction during said preceding fiscal year, under the provisions of subparagraph two (2) C of section 11-2023. Such verified certificate must be maintained in a permanent file by said public employees' retirement system for the purpose of establishing eligibility for participation in the volunteer firemen's pension plan, and must be open for inspection as a public record.'

Section 195. Section 11-3524, R.C.M. 1947, is amended to read as follows:

2/18/77

'11-3524. Firemen's (tenure — firemen's disability and pension funds — how continued — protection of rights in. Any firemen employed by any fire department or departments, established as required by law in any city or town of (the) a county prior to (the election and qualification of a commission under this act, or other acts of) consolidation or disincorporation, (shall have the same job tenure rights as though no such election and qualification had taken place. Any such fireman) who has vested rights in any disability or pension fund shall maintain prior vested rights to such funds upon their transfer to a consolidated county municipality. Any disability or pension fund, or funds, of the fire department or departments, established as required by law in any city or town of (the) a county prior to (the election and qualification of a commission under this act, or other acts of) consolidation or disincorporation, shall be continued as one such fund for the fire department of the municipality, subject, however, to the prior vested rights of any firemen employed by any fire department or departments, established as required by law in any city or town of (the) a county prior (to the election and qualification of a commission under this act or other acts of) consolidation or disincorporation. The board of trustees of such disability or pension fund shall continue as set forth in sections 11-1913 and 11-1922, R.C.M. 1947. Except as provided in this section, the disability or pension fund of the fire department shall be continued and administered in the manner prescribed by law for such funds established in cities and towns.'

Section 196. Section 47A-3-205, R.C.M. 1947, is amended to read as follows:

'47A-3-205. Commission form.

2/18/77

(1) The commission form consists of an elected commission (which may also be called the "council") and other elected officers as provided in this section. All legislative, executive, and administrative powers and duties of the local government not specifically reserved by law or ordinance to other elected officers shall reside in the commission. The commission shall appoint the heads of departments and other employees, except for those appointed by other elected officials. Cities and towns which adopt this form may distribute by ordinance the executive and administrative powers and duties into departments headed by individual commissioners.

(2) The plan of government submitted to the qualified electors shall further define the structural characteristics of the form by including one item from each of the choices listed below:

(a) The commission shall be:

- (i) elected at large; or
- (ii) elected by districts in which candidates must reside and which are apportioned by population; or
- (iii) nominated by districts in which candidates must reside and which are apportioned by population, but elected at large; or
- (iv) elected by any combination of districts in which candidates must reside and which are apportioned by population, and at large.

(b) Local government elections shall be conducted on a:

- (i) partisan basis as provided in this title; or
- (ii) nonpartisan basis as provided in this title.

(c) The chairman of the commission, who may be referred to as the "mayor", shall be the presiding officer of the commission. All members of boards and committees shall be appointed by the chairman with the consent of the commission. The chairman shall be recognized as the head of the local government unit and may vote as other members of the commission. The chairman shall be:

- (i) elected by the members of the commission from their own number for a term established by ordinance; or
- (ii) selected as provided by ordinance; or
- (iii) elected directly by the voters for a term established by ordinance.

(d) The commission:

- (i) shall appoint one or more administrative assistants to assist them in the supervision and operation of the local government; or
- (ii) may appoint one or more administrative assistants to assist them in the supervision and operation of the local government.

(e) Commission members shall be elected for:

- (i) concurrent terms of office; or
- (ii) overlapping terms of office.

(f) The size of the commission, which shall be a number of not less than three (3), shall be established when the form is adopted by the voters, and:

(i) community councils of at least three (3) members shall be elected within each district to advise the commissioner from that district. Local governments conducting elections at-large shall district according to population for the purpose of electing community councils; or

(ii) community councils to advise commissioners may be authorized by ordinance.

(g) The term of office of elected officials may not exceed four (4) years, except the term of office for commissioners in counties adopting the form authorized by Article XI, section 3 (2), of the Montana constitution, may not exceed (six (6)) 4 years. Terms of office shall be established when the form is adopted by the voters.

(3) In county and consolidated local governments, the plan of government submitted to the qualified electors shall further define the structural characteristics of the form by including one item from each of the choices listed below. The officers shall have the powers and duties established by ordinance. After the establishment of any office, the commission may consolidate, as provided by law, two or more of the offices.

(a) A legal officer (who may be called the "county attorney"):

- (i) shall be elected; or
- (ii) shall be appointed by the local government commission; or
- (iii) shall be appointed by the chairman of the local government commission; or
- (iv) shall be selected as provided by ordinance; or
- (v) may at the discretion of the commission be selected as provided by ordinance; or
- (vi) shall not be included in this form as a separate office.

(b) A law enforcement officer (who may be called the "sheriff"):

- (i) shall be elected; or
- (ii) shall be appointed by the local government commission; or
- (iii) shall be appointed by the chairman of the local government commission; or
- (iv) shall be selected as provided by ordinance; or
- (v) may at the discretion of the commission be selected as provided by ordinance; or
- (vi) shall not be included in this form as a separate office.

(c) A clerk and recorder:

- (i) shall be elected; or
- (ii) shall be appointed by the local government commission; or
- (iii) shall be appointed by the chairman of the local government commission; or
- (iv) shall be selected as provided by ordinance; or



- (v) may at the discretion of the commission be selected as provided by ordinance; or
- (vi) shall not be included in this form as a separate office.
- (d) A clerk of district court:
  - (i) shall be elected; or
  - (ii) shall be appointed by the local government commission; or
  - (iii) shall be appointed by the chairman of the local government commission; or
  - (iv) shall be selected as provided by ordinance; or
  - (v) may at the discretion of the commission be selected as provided by ordinance; or
  - (vi) shall not be included in this form as a separate office.
- (e) A treasurer:
  - (i) shall be elected; or
  - (ii) shall be appointed by the local government commission; or
  - (iii) shall be appointed by the chairman of the local government commission; or
  - (iv) shall be selected as provided by ordinance; or
  - (v) may at the discretion of the commission be selected as provided by ordinance; or
  - (vi) shall not be included in this form as a separate office.
- (f) A surveyor:
  - (i) shall be elected; or
  - (ii) shall be appointed by the local government commission; or
  - (iii) shall be appointed by the chairman of the local government commission; or
  - (iv) shall be selected as provided by ordinance; or
  - (v) may at the discretion of the commission be selected as provided by ordinance; or
  - (vi) shall not be included in this form as a separate office.
- (g) A superintendent of schools:
  - (i) shall be elected; or
  - (ii) shall be appointed by the local government commission; or
  - (iii) shall be appointed by the chairman of the local government commission; or
  - (iv) shall be selected as provided by ordinance; or
  - (v) may at the discretion of the commission be selected as provided by ordinance; or
  - (vi) shall not be included in this form as a separate office.
- (h) An assessor:
  - (i) shall be elected; or
  - (ii) shall be appointed by the local government commission; or
  - (iii) shall be appointed by the chairman of the local government commission; or
  - (iv) shall be selected as provided by ordinance; or
  - (v) may at the discretion of the commission be selected as provided by ordinance; or
  - (vi) shall not be included in this form as a separate office.
- (i) A coroner:
  - (i) shall be elected; or
  - (ii) shall be appointed by the local government commission; or
  - (iii) shall be appointed by the chairman of the local government commission; or
  - (iv) shall be selected as provided by ordinance; or
  - (v) may at the discretion of the commission be selected as provided by ordinance; or
  - (vi) shall not be included in this form as a separate office.
- (j) A public administrator:
  - (i) shall be elected; or



- (ii) shall be appointed by the local government commission; or
- (iii) shall be appointed by the chairman of the local government commission; or
- (iv) shall be selected as provided by ordinance; or
- (v) may at the discretion of the commission be selected as provided by ordinance; or
- (vi) shall not be included in this form as a separate office.
- (k) An auditor:
  - (i) shall be elected; or
  - (ii) shall be appointed by the local government commission; or
  - (iii) shall be appointed by the chairman of the local government commission; or
  - (iv) shall be selected as provided by ordinance; or
  - (v) may at the discretion of the commission be selected as provided by ordinance; or
  - (vi) shall not be included in this form as a separate office.
- (4) Local governments that adopt this form shall have general government powers.'

Section 197. Section 70-119, R.C.M. 1947,  
is amended to read as follows:

2/14/77

'70-119. Complaints against public utility or local government — hearing. Upon a complaint made against any public utility or local government providing water or sewer service by any mercantile, agricultural, or manufacturing society or club, or by any body politic or municipal organization, or association or associations, the same being interested, or by any person or persons, firm or firms, corporation or corporations, provided such persons, firms, or corporations are directly affected thereby that any of the rates, tolls, charges, or schedule, or any joint rate or rates, are in any way unreasonable or unjustly discriminatory, or that any regulations, measurements, practices, or act whatsoever affecting or relating to the production, transmission, or delivery or furnishing of heat, light, water, or power, or any service in connection therewith, or the conveyance of any telegraph or telephone message, or any service in connection therewith, is in any respect unreasonable, insufficient, or unjustly discriminatory, or that any service is inadequate, the commission shall proceed, with or without notice, to make such investigation as it may deem necessary. But no order affecting such rates, tolls, charges, schedules, regulations, measurements, practice or act complained of, shall be entered without a formal hearing, except the commission may issue an order to provide service to a residential consumer pending a hearing on a complaint by such consumer or by the consumer counsel on behalf of such consumer against a public utility or local government, providing that the hearing is held within twenty (20) days unless further delayed by consent of all parties.

The commission shall give the public utility or the local government and the complainant or complainants at least ten days' notice of the time when and the place where such hearing will be held, at which hearing both the complainant and the public utility or local government shall have the right to appear by counsel or otherwise, and be fully heard. Either party shall be entitled to an order by the commission for the appearance of witnesses or the production of books, papers, and documents containing material testimony. Witnesses appearing upon the order of the commission shall be entitled to the same fees and mileage as witnesses in civil cases in the courts of the state, and the same shall be paid out of the state treasury in the same manner as other claims against the state

are paid; but no fees or mileage shall be allowed, unless the chairman of the commission shall certify to the correctness of the claim."

Renumber: subsequent sections

420. Amend page 809, section 193, line 4. 2/18/77

Following: "7 through"

Strike: "20"

Insert: "17"

Following: "22 through"

Strike: "35"

Insert: "34"

421. Amend page 809, section 193, line 6. 2/18/77

Following: "sections"

Insert: "11-1801 through 11-1808, 11-1810 through 11-1817, 11-1831, 11-1832, 11-1901 through 11-1909, 11-1931 through 11-1941, 11-2001 through 11-2006, 11-2008 through 11-2010, 11-3501 through 11-3523, 11-3525 through 11-3560, and"

422. Amend page 809, section 193, line 9. 2/18/77

Following: "chapters"

Strike: "1,"

Following: "3"

Insert: " , 4, 6"

Following: "through"

Insert: "10,"

423. Amend page 809, section 193, line 12. 2/18/77

Following: "sections"

Insert: "16-101, 16-1102 through 16-1120, 16-1123 through 16-1189,"

424. Amend page 809, section 193, line 17. 2/18/77

Following: "23-3102"

Insert: "23-3302"

425. Amend page 809, section 193, line 18. 2/18/77

Following: "25-208"

Strike: "25-210 through 25-217"

Insert: "25-211, 25-212, 25-213, 25-216, 25-217,"

426. Amend page 810, section 193, line 4. 2/18/77

Following: "42-2202,"

Insert: "43-517, 43-518, 43-711.4, 46-2101 through 46-2104, 46-2201, 46-2202, 59-307, 59-515, 62-101 through 62-214,"

427. Amend page 810, section 193, line 5. 2/14/77

Following: "69-4513,"

Insert: "69-4515,"

428. Amend page 810, section 193, line 9. 2/18/77

Following: "79-2102"

Strike: "80-2804,"

429. Amend page 810, section 193, line 10. 2/19/77

Following: line 9

Strike: "82A-904,"

430. Amend page 810, section 193, line 12. 2/18/77

Following: "93-401 through"

Strike: "93-405, 93-408, 93-410 through 93-412,"

And as amended, do pass. Report adopted.

Objection raised by Robbins on 2/19/77 on adverse committee report on HB 92. Referred to Second Reading.

**MOTIONS**

Lynch moved that he be allowed to change his vote on Third Reading of HB 645 from no to yes. Motion carried unanimously.

Meloy moved that HB 296 and HB 525 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Lory moved that HB 407 be rereferred from the Committee on Appropriations to the Committee on State Administration. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., February 21, 1977.

Motion carried.

House adjourned at 4:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk









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295  
1977(H)

House Journal  
Volume II

**HOUSE JOURNAL**  
**OF THE**  
**Forty-Fifth Legislature**  
**OF THE**  
**STATE OF MONTANA**  
**VOLUME II**

MONTANA LEGISLATIVE COUNCIL  
LIBRARY

**Held at Helena, the Seat of Government of Said State,  
Commencing in Regular Session January 3, 1977, and  
Ending April 19, 1977.**

**JOHN B. DRISCOLL**  
Speaker of the House

Martha McGee  
Chief Clerk of the House

Linda Barrett  
Journal Clerk

**PUBLISHED BY**  
**THE MONTANA LEGISLATIVE COUNCIL**





**FORTY-THIRD LEGISLATIVE DAY**

Helena, Montana  
February 21, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Harrington, Menahan, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

**COMMUNICATIONS AND PETITIONS**

February 17, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Speaker:

The following pages will be employed from February 21st through February 26th, 1977:

Frances Galvin	Kalispell
Robert Little	Eureka
Jennifer Hill	Kalispell
Scott White	Great Falls
Susan Jacobs	Big Timber
Rosemarie Hubble	Whitefish
Laura Gunnels	Laurel
Gary Gunderson	Havre

The following page will work from February 23rd through February 28th, 1977:

Michael Garrity	Helena
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The following page will be working from February 24th through March 1st, 1977:

Souther Bird	Helena
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Sincerely,

Sam Wolfe  
Sergeant-at-Arms

**REPORTS OF STANDING COMMITTEES**

BILLS (Quilici, Chairman):

Correctly printed - HB 297, HB 331, HB 424, HB 479, HB 523,  
HB 534, HB 587, HB 654, HB 769, HJR 30, HJR 65. 2/19/77

Correctly printed - HB 92, HB 151, HB 371, HB 378, HB 411,  
HB 447, HB 480, HB 497, HB 544, HB 697, HB 726, HB 737,  
HB 741, HB 742, HB 758, HB 759, HB 765, HB 772, HJR 23,  
HJR 59. 2/21/77

Considered correctly engrossed - HB 211, HB 292, HB 405, HB 525,  
HB 526, HB 570, HB 582, HB 675, HB 699, HB 718, HB 720,  
HB 757, HJR 64, HJR 66. 2/21/77

Correctly engrossed - HB 348, HB 509, HB 531, HB 619, HB 633. 2/21/77

Considered correctly engrossed - HB 195, HB 319, HB 436, HB 581,  
HB 652, HB 653, HJR 19, HJR 45, HJR 49, HJR 52, HJR 53,  
HJR 54, HJR 68. 2/19/77

Will be signed by the Speaker on adjournment, 2/21/77 - SB 54.

Were signed by the Speaker on adjournment, 2/19/77 - SB 19, SB 63.

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

2/21/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business, February 21, 1977:

Frances Galvin.....	Page
Gary Gunderson.....	Page
Laura Gunnels.....	Page
Rosemarie Hubble.....	Page
Jennifer Hill.....	Page
Susan Kay Jacobs.....	Page
Robert Little.....	Page
Scott White.....	Page

At the beginning of business February 23, 1977, the following also be employed:

Michael Garrity.....	Page
----------------------	------

At the beginning of business February 24, 1977, the following also be employed:

Souther Bird.....	Page
-------------------	------

At the close of business February 19, 1977, the following also be terminated:

Lory Lynn Buxbaum.....	Page
Pamela June Dale.....	Page
Stuart Howard Doggett.....	Page
Beverly Joy Fry.....	Page
Charlene Ellen Gunderson.....	Page
Darci Shane.....	Page
Dirk Tarro.....	Page

At the close of business February 22, 1977, the following also be terminated:

Hal Dave Hauf.....	Page
Joan Marie McMahon.....	Page

Report adopted.

#### STATE ADMINISTRATION (Brand, Chairman):

2/21/77

HB 438, introduced bill, be amended as follows:

1. Amend title, line 7.  
Following: "Amend"  
Strike: "section"  
Insert: "sections"  
Following: "23-3318,"

Insert: "11-3112, and 11-3215,"

2. Amend title, line 9.

Following: "nomination"

Insert: "and statement of candidacy"

3. Amend page 5, section 2, subsection (3), lines 17 and 18.

Following: "(3) (The)"

Strike: "For offices other than municipal and county offices, the"

Insert: "The"

4. Amend page 5, section 2, subsection (3), lines 22 through 24.

Following: "address."

Strike: lines 22 through 24 in their entirety

5. Amend page 6, section 2, subsection (5), lines 6 through 10.

Following: "law."

Strike: lines 6 through 10 in their entirety

6. Amend page 6, section 2.

Following: line 21

Insert: "(8) The provisions of this section do not apply to nonpartisan counties and municipal elections. If not otherwise provided, nonpartisan candidates shall file for office using the procedures in Title 23, chapter 45, for the nonpartisan nomination and election of judicial officers. Filing times are the same as those for partisan elections. If no more than twice the number of candidates to be elected file for any of the offices to be filled at the election, no primary election may be held and the names of all candidates shall be placed on the general election ballot.

Section 3. Section 11-3112, R.C.M. 1947, is amended to read as follows:

'11-3112. Nomination of candidates — primary election. (1) Candidates to be voted for at all general municipal elections at which a mayor or councilmen are to be elected under the provisions of this act shall be nominated by a primary election, and no other names shall be placed upon the general ballot except those selected in the manner hereinafter prescribed. The primary election for such nominations shall be held on the second Monday preceding the municipal election. The judges of election appointed for the municipal election shall be the judges of the primary election, and it shall be held at the same places, as far as possible, and the polls shall be opened and closed at the same hours, with the same clerks as are required for said general municipal election.

(2) Any qualified elector of said city who is the owner of any real estate situated therein, desiring to become a candidate for mayor or councilman, shall, at least ten days prior to said primary election, file with the city clerk a statement of such candidacy in substantially the following form:

State of Montana, )  
 ) ss.  
 County of ..... )

I, ..., being first duly sworn, say that I reside at .... street, city of ..., county of .... state of Montana; that I am a qualified voter therein; that I am a candidate for nomination to the office of (mayor or councilman) to be voted upon at the primary election to be held on the .... Monday of ..., 19.., and I hereby request that my name

be printed upon the official primary ballot for nomination by such primary election for such office.

(Signed) .....

Subscribed and sworn to (or affirmed) before me by .... on this .... day of ...., 19...

(Signed) .....

(and shall at the same time file therewith the petition of at least twenty-five qualified voters requesting such candidacy. Each petition shall be verified by one or more persons as to qualifications and residence, with street number, of each of the persons so signing the said petition, and the said petition shall be in substantially the following form:

(3) Petition accompanying nominating statement:

The undersigned, duly qualified electors of the city of ...., and residing at the places set opposite our respective names hereto, do hereby request that the name of (name of candidate) be placed in the ballot as a candidate for nomination for (name of office) at the primary election to be held in such city on the .... Monday of ...., 19... We further state that we know him/her to be a qualified elector of said city and a person of good moral character, and qualified, in our judgment, for the duties of such office.

Names of qualifying electors.    Number.    Street.

.....  
.....

(4) Each signer of a nomination paper shall sign but one such nomination paper for the same office, except where more than one officer is to be elected to the same office, in which case he may sign as many nomination papers as there are officers to be elected, and only one candidate shall be petitioned for or nominated in the same nomination paper.

(5))(3) Immediately upon the expiration of the time of filing the statements (and petitions for) of candidates, the said city clerk shall cause to be published for three consecutive days in all the daily newspapers published in the city, in proper form, the names of the persons as they are to appear upon the primary ballots, and if there be no daily newspaper, then in two issues of any other newspapers that may be published in said city; and the said clerk shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature. Upon the said ballot the names of the candidates for mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and immediately below the words, "Vote for one." Following these names, likewise arranged in alphabetical order, shall appear the names of the candidates for councilmen, with a square at the left of each name, and below the names of such candidates shall appear the words, "Vote for (giving the number of persons to be voted for)." The ballot shall be printed upon plain substantial, white paper, and shall be headed:

Candidates for nomination for mayor and councilmen of the city of .... at the

Primary Election;

but shall have no party designation or mark whatever. The ballots



shall be in substantially the following form: (Place a cross in the square preceding the names of the parties you favor as candidates for the respective positions).

Official Primary Ballot.

Candidates for nomination for mayor and councilmen of the city of ..... at the

Primary Election.

For Mayor.

(Name of candidate.)

(Vote for one.)

For councilman.

(Name of candidate.)

Vote for .... (Giving number to be voted for).

Official ballot attest:

(Signature)....

City Clerk.

((6))(4) Having caused said ballots to be printed, the said city clerk shall cause to be delivered at each polling place a number of said ballots equal to twice the number of such voters registered in such polling place at the last general municipal election. The persons who are qualified to vote at the general election shall be qualified to vote at such primary election and any person offering to vote may be orally challenged by any elector of the city upon any or all of the grounds set forth and specified in section 23-1220 of these codes, and the provisions of sections 23-1221 to 23-1228, inclusive, of these codes shall apply to all challenges made at such election. Judges of election shall immediately upon the closing of the polls count the ballots and ascertain the number of votes cast in such precinct for each of the candidates for mayor and councilman, and make return thereof to the city clerk upon the proper blanks to be furnished by the city clerk within six hours of the closing of the polls. On the day following the primary election the city clerk shall canvass said returns so received from all the polling precincts, and shall make and publish in all the newspapers in said city, at least once, the result thereof. Said canvass by the city clerk shall be publicly made.

((7))(5) If a mayor is to be elected at such municipal election, the two persons receiving the highest number of votes shall be the candidates for mayor. If one councilman is to be elected at such municipal election, the two persons receiving the highest number of votes shall be the candidates for councilmen. If two councilmen are to be elected at such general municipal election, the four persons receiving the highest number of votes shall be the candidates for councilmen, and if three councilmen are to be elected at such municipal election, the six persons receiving the highest number of votes shall be the candidates for councilmen, and if four councilmen are to be elected at such general municipal election, the eight persons receiving the highest number of votes shall be candidates for councilmen at such general election, and these shall be the only candidates for mayor and councilmen at such general election.

((8))(6) All electors of cities under this act, who, by ordinances governing cities incorporated under the general municipal incorporation law, or by charter, would be entitled to vote for the election



the said petition, and the said petition shall be in substantially the following form:

(3) **Petition Accompanying Nominating Statement.**

The undersigned duly qualified electors of the (city, town) of ..., and residing at the places set opposite our respective names hereto, do hereby request that the name of (name of candidate) be placed on the ballot as a candidate for nomination to the office of commissioner at the primary election to be held on the last Tuesday of August, 19... We further state that we know him/her to be a qualified elector of said (city, town), and a person of good moral character, and qualified, in our judgment, for the duties of such office, and we individually certify that we have not signed similar petitions greater in number than the number of commissioners to be chosen at the next general municipal election.

Names of Qualifying Electors (Signatures.)	Number	Street (Space for
---	--------	-------------------

State of Montana, )  
 ) ss.

County of ..... )

..., being duly sworn, deposes and says, that he knows the qualifications and residence of each of the persons signing the appended petition, and that such signatures are genuine, and the signatures of the persons whose names they purport to be.

(Signed) ....

Subscribed and sworn to before me this .... day of ....., 19...

.... (Notary Public),

This petition, if found insufficient, shall be returned to .... at No. .... street, ..., Montana.

(4)(3) Immediately upon the expiration of the time of filing the statements (and petition for) of candidates, the clerk of the commission shall cause to be published for three consecutive days in all the daily newspapers published in the municipality in proper form, the names of the persons that are to appear upon the primary ballots, and if there be no daily newspaper, then in two issues of any other newspaper that may be published in said municipality, and the said clerk shall thereupon cause the primary ballots to be printed and authenticated with a facsimile of his signature.

((55))4 In the event the number of legally qualified candidates for the office of commissioner at such primary election does not exceed twice the number of vacancies in the commission to be filled, no municipal primary election for the nomination of candidates for the office of commissioner shall be held in said city for said year and such legally qualified candidates shall be deemed duly nominated and shall be placed on the general ballot.”

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

**TAXATION (Huennekens, Chairman):**

2/21/77

HB 70, introduced bill, be amended as follows:

1. Amend title, line 13.  
Following: "69-3504,"



Strike: "69-3923,"

2. Amend page 2, section 1, line 1.

Following: "through"

Strike: "84-301.15"

Insert: "84-301.19"

3. Amend page 2, sections 3 through 15, line 17 through line 12 on page 15.

Following: "percentage."

Strike: line 17 through line 12 on page 15 in their entirety

Insert: "(1) Class two property includes the annual net proceeds of all mines and mining claims, except coal mines.

(2) Class two property is taxed at 100% of its annual net proceeds after deducting the expenses specified and allowed by 84-5403.

Section 4. There is a new R.C.M. section numbered 84-301.4 that reads as follows:

84-301.4. Class three property — description — percentage.

(1) Class three property includes the annual gross proceeds of coal mines using the strip mining method.

(2) Class three property is taxed at 45% of its assessed value, which is 100% of annual gross proceeds.

Section 5. There is a new R.C.M. section numbered 84-301.5 that reads as follows:

84-301.5. Class four property — description — taxable percentage.

(1) Class four property includes the annual gross proceeds of underground coal mines.

(2) Class four property is taxed at 33  $\frac{1}{3}$ % of its assessed value, which is 100% of annual gross proceeds.

Section 6. There is a new R.C.M. section numbered 84-301.6 that reads as follows:

84-301.6. Class five property — description — taxable percentage.

(1) Class five property includes moneyed capital and shares of banks.

(2) Moneyed capital is defined as moneys, bonds, notes, and other evidence of indebtedness, including evidence of indebtedness secured by mortgage on real or personal property, in the hands of individual citizens and corporations in competition with the business of national banks or employed in conducting a banking or investment business.

(3) In ascertaining the value of moneyed capital for taxation, any deposits and any indebtedness borrowed for use as moneyed capital are deducted from the amount of bonds, notes, and other evidence of indebtedness.

(4) In ascertaining the value of the shares of a national bank for taxation, the book value of all real estate owned by a bank is deducted from the value of the shares and assessed to the bank separately. The shares of banking corporations engaged in the banking business in Montana are assessed at 100% of book value, less the book value of the real estate, moneyed capital, and other property of the bank that is assessed and taxed as the property of the bank.



(5) Class five property is taxed at 30% of its book value, with the exception of the surplus shown on the bank's books. The surplus, to the amount of the stated capital of the bank, is taxed at 7% of its book value. The amount of surplus in excess of the stated capital is taxed at 30%.

Section 7. There is a new R.C.M. section numbered 84-301.7 that reads as follows:

84-301.7. Class six property — description — taxable percentage.

(1) Class six property includes agricultural land, as defined in 84-437.2.

(2) Class six property is taxed at 30% of its assessed value.

Section 8. There is a new R.C.M. section numbered 84-301.8 that reads as follows:

84-301.8. Class seven property — description — taxable percentage.

(1) Class seven property includes:

(a) centrally assessed utility allocations after deductions of locally assessed properties, except as provided in:

(i) class fourteen for rural telephones; and

(ii) class eighteen for cooperatives;

(b) all other property not included in classes one through six and classes eight through eighteen;

(c) large trucks and commercial trailers valued in the department of revenue's truck and commercial trailer schedule.

(2) Class seven property is taxed at 16% of its market value.

Section 9. There is a new R.C.M. section numbered 84-301.9 that reads as follows:

84-301.9. Class eight property — description — taxable percentage. (1) Class eight property includes:

(a) all agricultural and other tools, implements, and machinery except:

(i) large farm machinery included in class twelve; and

(ii) tools and implements included in class fourteen;

(b) gas and other engines and boilers and threshing machines and outfits used therewith;

(c) harness, saddlery, and robes;

(2) Class eight property is taxed at 13% of its market value.

Section 10. There is a new R.C.M. section numbered 84-301.10 that reads as follows:

84-301.10. Class nine property — description — taxable percentage. (1) Class nine property includes:

(a) automobiles, motor trucks, and other power-driven cars and vehicles of all kinds, except mobile homes, motorcycles, aircraft, camper trailers, and truck campers;

- (b) livestock, poultry, and unprocessed products of both; and
- (c) furniture and fixtures used in commercial, office, and hotel activities, except improvements included in class thirteen.

(2) Class nine property is taxed at 13.3% of its market value.

Section 11. There is a new R.C.M. section numbered 84-301.11 that reads as follows:

84-301.11. Class ten property — description — taxable percentage. (1) Class ten property includes:

(a) aerial, surface, and portable ski lifts and ski tows, including the towers, cables, ropes, sheave assemblies, conveying devices, power units, and all accessories;

(b) manufacturing and mining machinery, fixtures, and supplies, except those included in class eighteen; and

(c) camper trailers and truck campers valued in the "Official Boat Trailer Trade-in Guide Blue Book".

(2) Class ten property is taxed at 12% of market value.

Section 12. There is a new R.C.M. section numbered 84-301.12 that reads as follows:

84-301.12. Class eleven property — description — taxable property. (1) Class eleven property includes:

(a) all land, except agricultural land meeting the qualifications of 84-437.2;

(b) all improvements, except those included in classes fifteen and eighteen;

(c) all trailers affixed to land owned, leased, or under contract for purchase by the trailer owner; and

(d) all mobile homes, except:

(i) those held by a distributor or dealer of mobile homes as part of his stock in trade; and

(ii) those included in class fifteen.

(2) Class eleven property is taxed at 12% of its market value.

Section 13. There is a new R.C.M. section numbered 84-301.13 that reads as follows:

84-301.13. Class twelve property — description — taxable percentage. (1) Class twelve property includes:

(a) boats and all watercraft;

(b) aircraft;

(c) motorcycles; and

(d) large farm machinery valued in the official guide tractors and farm implements and department valuation schedules.

(2) Class twelve property is taxed at 11% of its market value.

Section 14. There is a new R.C.M. section numbered 84-301.14 that reads as follows:

84-301.14. Class thirteen property — description — taxable percentage. (1) Class thirteen property includes the incremental increase in the value of real estate produced by repairing, maintaining, or improving existing improvements.

(2) Class thirteen property is taxed at:

(a) 2.4% of the market value for the first full year following completion of the repair, maintenance, or improving of existing improvements;

(b) 4.8% of the market value for the second full year following completion of the repair, maintenance, or improving of existing improvements;

(c) 7.2% of the market value for the third full year following completion of the repair, maintenance, or improving of existing improvements;

(d) 9.6% of the market value for the fourth full year following completion of the repair, maintenance, or improving of existing improvements; and

(e) 12% of the market value for the fifth full year and every year thereafter following completion of the repair, maintenance, or improving of existing improvements.

Section 15. There is a new R.C.M. section numbered 84-301.15 that reads as follows:

84-301.15. Class fourteen property — description — taxable percentage. (1) Class fourteen property includes:

(a) all poles, lines, transformers, transformer stations, meters, tools, improvements, machinery and other property, except that included in class eighteen, used and owned by persons, firms, corporations, or other organizations that are engaged in the business of furnishing telephone communications exclusively to rural areas or to rural areas and cities and towns of 800 persons or less. The average circuit miles for each station on the telephone communications system must be more than 1 ¼ miles to qualify for this classification;

(b) tools, implements, and machinery used to repair and maintain machinery not used for manufacturing and mining purposes; and

(c) electric transformers and meters and gas regulators and meters that are not part of the single and continuous property of a utility that is centrally assessed.

(2) Class fourteen is taxed at 8% of its market value.

Section 16. There is a new R.C.M. section numbered 84-301.16 that reads as follows:

84-301.16. Class fifteen property — description — taxable percentage. (1) Class fifteen property includes:

(a) a capital investment in a building for an energy conservation purpose, to the extent provided under 84-7403; and

(b) any improvement on real property, a trailer affixed to land, or a mobile home and appurtenant land not exceeding 5 acres, which together meet the following conditions:



- (i) have a market value of not more than \$27,500;
- (ii) are owned or under contract for deed and are actually occupied for at least 10 months per year as the primary residential dwelling of:

(A) a widow or widower 62 years of age or older who qualifies under the income limitations of (C) of this section;

(B) a widow or widower of any age with dependent children who qualifies under the income limitations of (C) of this section; or

(C) a recipient or recipients of retirement or disability benefits whose total income from all sources is not more than \$6,000 a year for a single person or \$6,800 a year for a married couple.

(2) (a) A person applying for classification of property under this class must make an affidavit to the department of revenue on a form provided by the department without cost as to:

- (i) his income, if applicable;
- (ii) his retirement benefits, if applicable;
- (iii) his marital status, if applicable; and
- (iv) the fact that he maintains the land and improvements as his primary residential dwelling.

(b) The county welfare board may investigate the applicant as to the answers given on the form. For the purpose of the affidavit required for classification of property under this class, it shall be sufficient if the applicant signs a statement swearing to or affirming the correctness of the information supplied, whether or not the statement is signed before a person authorized to administer oaths, and mails the application and statement to the department of revenue. This signed statement shall be treated as a statement under oath or equivalent affirmation for the purposes of 94-7-203, relating to the criminal offense of false swearing.

(c) The assessed value of the property may not be increased during the life of the recipient of retirement benefits or widow or widower covered under this class, unless the owner-resident makes a substantial improvement in the dwelling.

(3) Class fifteen property is taxed at 6% of its market value.

Section 17. There is a new R.C.M. section numbered 84-301.17 that reads as follows:

84-301.17. Class sixteen property — description — taxable percentage. (1) Class sixteen property includes:

- (a) business inventories as defined in this section; and
- (b) mobile machines, valued as other heavy construction equipment is valued, used in new industries, as defined in class eighteen.

(2) Mobile machines used in new industry are subject to the conditions imposed in class eighteen for other property used in new industries.

(3) "Business inventories" includes goods intended for sale or lease in the ordinary course of business and raw materials and work in progress with respect to such goods. Business inventories shall not



include goods leased or rented or mobile homes held by a dealer or distributor as part of his stock in trade.

(4) The market value of business inventories, for property tax purposes, is the cost to the person subject to the inventory tax.

(5) Class sixteen property is taxed at 4.2% of market value.

Section 18. There is a new R.C.M. section numbered 84-301.18 that reads as follows:

84-301.18. Class seventeen property — description — taxable percentage. (1) Class seventeen property includes all unprocessed agricultural products on the farm or in storage, except:

(a) all perishable fruits and vegetables in farm storage and owned by the producer; and

(b) livestock and poultry and the unprocessed products of both.

(2) Class seventeen property is taxed at 3.5% of market value.

Section 19. There is a new R.C.M. section numbered 84-301.19 that reads as follows:

84-301.19. Class eighteen property — description — taxable percentage. (1) Class eighteen property includes:

(a) a dwelling house and the lot on which it is erected, owned, and occupied by a resident of the state who:

(i) has been honorably discharged from active service in any branch of the armed services; and

(ii) is rated 100% disabled due to a service-connected disability by the United States veterans administration or its successor. In the event of the veteran's death, the dwelling house and the lot on which it is erected shall remain in this class as long as the surviving spouse remains unmarried and the owner and occupant of the property.

(b) all property used and owned by cooperative rural electrical and cooperative rural telephone associations as provided in (2)(a) of this section.

(c) air pollution control equipment as defined in this section;

(d) new industrial property as defined in this section; and

(e) a capital investment in a recognized nonfossil form of energy generation, to the extent provided under 84-7403.

(2) (a) The property of all cooperative rural electrical and cooperative rural telephone associations organized under the laws of Montana is included in this class; except that when less than 95% of the electricity consumers or telephone users within the incorporated limits of a city or town are served by the cooperative organization, the property is included in class eighteen.

(b) "Air pollution control equipment" means facilities, machinery, or equipment, attached or unattached to real property, utilized to reduce, eliminate, control, or prevent air pollution. The department of health and environmental sciences determines if such utilization is being made.

(c) "New industrial property" means any new industrial plant,

including land, buildings, machinery, and fixtures, except mobile machinery, which is used by a new industry during the first 3 years of its operation. The property may not have been assessed prior to July 1, 1961, within the state of Montana.

(i) New industrial property is limited to industries that:

(A) manufacture, mill, mine, produce, process, or fabricate materials;

(B) do similar work, employing capital and labor, in which materials unserviceable in their natural state are extracted, processed, or made fit for use or are substantially altered or treated so as to create commercial products or materials; or

(C) engage in the mechanical or chemical transformation of materials or substances into new products in the manner defined as manufacturing in the 1972 Standard Industrial Classification Manual prepared by the United States office of management and budget.

(ii) New industrial property does not include:

(A) property used by retail or wholesale merchants, commercial services of any type, agriculture, trades, or professions;

(B) a plant that will create adverse impact on existing state, county, or municipal services; or

(C) property used or employed in any industrial plant that has been in operation in this state for 3 years or longer.

(d) "New industry" means any person, corporation, firm, partnership, association, or other group that establishes a new plant or plants in Montana for the operation of a new industrial endeavor, as distinguished from a mere expansion, reorganization, or merger of an existing industry or industries.

(3) The department of revenue shall promulgate rules for the determination of what constitutes an adverse impact, taking into consideration the number of people to be employed and the size of the community in which the location is contemplated. Any person, corporation, firm, partnership, association, or other group seeking to qualify its property for inclusion in this class shall make application to the department of revenue in such a manner and form as the department requires. Once the department has made an initial determination that the industrial facility qualifies as new industrial property, the department shall then, upon proper notice, hold a hearing to determine if the new industrial classification should be retained by the property. The local taxing authority may appear at the hearing and may waive its objection to retention of this classification if the industry agrees to the prepayment of taxes sufficient to satisfy tax requirements created by the location and construction of the facility during the construction period. When a prepayment of taxes is required, the maximum amount of prepayment shall be the amount of tax the industry would have paid without the application of the class seven percentage to such property.

(4) If a major new industrial facility qualifies under class eighteen, the reduction of its yearly payment of property taxes for reimbursement of its prepaid taxes as provided for in 84-41-105 does not begin until the class eighteen qualification expires.

(5) Class eighteen property shall be taxed at 2.8% of its market value."

Renumber: all subsequent sections

4. Amend page 15, section 16, line 20.

Following: "section"

Insert: "and in 84-429.14 through 84-429.17"

5. Amend page 16, section 16, line 3.

Following: "property in"

Strike: "classes one through ten, with the exception of class six"

Insert: "class one and classes seven through eighteen"

6. Amend page 16, section 16, line 6.

Following: "property in"

Strike: "classes one through ten, with the exception of class six,"

Insert: "class one and classes seven through eighteen"

7. Amend page 16, section 16, line 9.

Following: "84-301.2"

Strike: "through 84-301.11, excluding 84-301.7"

Insert: "and 84-301.8 through 84-301.19"

8. Amend page 16, section 16, lines 10 and 11.

Following: "in"

Strike: "84-301.7 and 84-301.12 through 84-301.15"

Insert: "84-301.3 through 84-301.7"

9. Amend page 16, section 16, line 12.

Following: "in"

Strike: "84-301.7"

Insert: "84-301.6"

Following: "class"

Strike: "six"

Insert: "five"

10. Amend page 16, section 16, line 14.

Following: line 13

Strike: "84-301.7"

Insert: "84-301.6"

11. Amend page 16, section 16, line 15.

Following: "(84-301)"

Strike: "84-301.12"

Insert: "84-301.3"

12. Amend page 16, section 16, line 16.

Following: "class"

Strike: "eleven"

Insert: "two"

13. Amend page 16, section 16, line 20.

Following: "in"

Strike: "84-301.13 and 84-301.14"

Insert: "84-301.4 and 84-301.5"

14. Amend page 16, section 16, line 21.

Following: "classes"

Strike: "twelve"

Insert: "three"

Following: "and"

Strike: "thirteen"

Insert: "four"

15. Amend page 16, section 16, line 24.

Following: "in"

Strike: "84-301.15"

Insert: "84-301.7"

Following: "class"

Strike: "fourteen"

Insert: "six"

16. Amend page 17, section 16, subsection (7), line 15.

Following: "classes"

Strike: "eleven"

Insert: "two"

17. Amend page 17, section 16, subsection (7), line 16.

Following: "through"

Strike: "fourteen"

Insert: "six"

18. Amend page 17, section 16, subsection (7), line 17.

Following: "in"

Strike: "84-301.12"

Insert: "84-301.3"

Following: "through"

Strike: "84-301.15"

Insert: "84-301.7"

19. Amend page 48, section 37, line 4.

Following: "(half )"

Strike: "1 ½"

Insert: "4.5"

20. Amend page 50, section 38, subsection (2), line 2.

Following: "value"

Insert: "and taxable value"

21. Amend page 54, section 39, subsection (4), line 15.

Following: "value"

Insert: "and taxable value"

22. Amend page 56, section 40, subsection (2), line 22.

Following: "value"

Insert: "and taxable value"

23. Amend page 63, section 41, subsection (3), line 7.

Following: "class"

Strike: "seven"

Insert: "eighteen"

24. Amend page 63, section 41, subsection (3), line 8.

Following: "(1947,)"

Strike: "84-301.8"

Insert: "84-301.19"

25. Amend page 63, section 41, subsection (3), line 11.

Following: "class"

Strike: "seven"

Insert: "eighteen"

26. Amend page 64, section 41, subsection (4), line 6.

Following: "class"

Strike: "seven"

Insert: "eighteen"



27. Amend page 65, section 42, subsection (2), line 20.

Following: "\$"

Strike: "1"

Insert: "10"

28. Amend page 68, section 43, subsection (8), lines 4 and 5.

Following: "through"

Strike: "84-301.15 and 84-308"

Insert: "84-301.19"

29. Amend page 70, section 45, subsection 84-404, line 3.

Following: "through"

Strike: "84-301.15 and 84-308"

Insert: "84-301.19"

30. Amend page 75, section 47, line 4.

Following: "84-401"

Strike: "and 84-308"

31. Amend page 84, section 50, subsection (1), line 20.

Following: "(84-301,)"

Strike: "84-301.7"

Insert: "84-301.6"

32. Amend page 91, section 55, line 7.

Following: "(two ())"

Strike: "2"

Insert: "6"

33. Amend page 91, section 55, line 8.

Following: "(three)"

Strike: "3"

Insert: "9"

34. Amend page 91, section 55, line 15.

Following: "(three ())"

Strike: "3"

Insert: "9"

35. Amend page 93, section 55, line 2.

Following: "(half ())"

Strike: "1 1/2"

Insert: "4.5"

36. Amend page 94, section 57, line 16.

Following: "(ten)"

Strike: "10"

Insert: "30"

37. Amend page 95, section 58, line 8.

Following: "(84-301)"

Strike: "84-301.12"

Insert: "84-301.3"

38. Amend page 96, section 59, line 23.

Following: "(Class 2)"

Strike: "class two"

Insert: "classes eight and twelve"

39. Amend page 97, section 59, line 4.

Following: "(2)"

Strike: "class two"

Insert: "classes eight and twelve"

40. Amend page 97, section 60, lines 13 and 14.

Following: "in"

Strike: "84-301.5, 84-301.6, 84-301.8, 84-301.9, 84-301.11, 84-301.15, or"

Insert: "84-301.2 through 84-301.19 and"

41. Amend page 98, section 61, line 3.

Following: "through"

Strike: "84-301.15 and 84-401"

Insert: "84-301.19"

42. Amend page 99, section 64, line 24.

Following: "class"

Strike: "seven"

Insert: "eighteen"

43. Amend page 99, section 64, line 25.

Following: "(84-302,)"

Strike: "84-301.8"

Insert: "84-301.19"

44. Amend page 100, section 64, subsection (2), line 6.

Following: "class"

Strike: "eight"

Insert: "fifteen"

45. Amend page 100, section 64, subsection (2), line 7.

Following: "(84-302)"

Strike: "84-301.9"

Insert: "84-301.16"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

On motion by Kimble, and in accordance with the 24-hour rule, the adverse committee report on HB 266 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Lien, Lory, Lund, Lynch, Meloy, Mular, Nathe, O'Keefe, Pistoria, Quilici, Roth, Ryan, Severson, Sheldon, Sivertsen, Smith, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wyrick, Mr. Speaker.  
Total 65

Noes: Estenson, Fabrega, Hirsch, Holmes, Huennekens, Hurwitz, Keyser, Kropp, Kvaalen, McLane, Manuel, Marks, Metcalf, Meyer, Moore, O'Connell, Porter, Ramirez, Robbins, Scully, South, Tower, Vincent, Waldron, Wood.  
Total 25

Excused: Harrington, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Cox, Davis, Kessler, Palmer, Seifert, Stobie.

Total 8

On motion by Sheldon, and in accordance with the 24-hour rule, the adverse committee report on HJR 39 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Marks, Metcalf, Meyer, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Tower, Tropila, Turner, Underdal, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 75

Noes: Bradley, Cooney, Dussault, Gilligan, E. Gunderson, Huennekens, Kimble, Manuel, Meloy, Moore, Mular, Robbins, South, Teague, Uhde, Vincent, Wood.

Total 17

Excused: Harrington, Menahan.

Total 2

Absent or not voting: Courtney, Cox, Kessler, O'Connell, Palmer, Stobie.

Total 6

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 139 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gould, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Hurwitz, Jensen, Kennerly, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Porter, Ramirez, Roth, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmiller, Tower, Uhde, Underdal, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 65

Noes: Barrett, Brand, Colburn, Ellis, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Huennekens, Johnston, Kanduch, Kenny, Keyser, Kimble, Lien, Lynch, Manuel, Mular, Pistoria, Quilici, Robbins, Scully, Sivertsen, Teague, Tropila, Turner, Vincent, Vinger.

Total 29

Excused: Harrington, Menahan.

Total 2

Absent or not voting: Cox, Kessler, Palmer, Stobie.

Total 4

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 259 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bertelsen, Burnett, Conroy, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Eudaily, Feda, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Meyer, Moore, Nathe, O'Connell, O'Keefe, Quilici, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Tower, Turner, Underdal, Vinger, Wood, Wyrick, Mr. Speaker.

Total 59

Noes: Barrett, Bengtson, Bradley, Brand, Colburn, Cooney, Courtney,

Dussault, Estenson, Fabrega, Fagg, Frates, Gerke, Gilligan, Harper, Holmes, Huennekens, Kimble, Lynch, McLane, Marks, Meloy, Metcalf, Mular, Pistoria, Porter, Ramirez, Robbins, Teague, Tropila, Uhde, Vincent, Waldron, Williams.

Total 34

Excused: Harrington, Menahan.

Total 2

Absent or not voting: Cox, Ellison, Kessler, Palmer, Stobie.

Total 5

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 749 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Gould, Halvorson, Hand, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Nathe, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Tower, Turner, Uhde, Underdal, Vinger, Williams, Wood, Mr. Speaker.

Total 66

Noes: Brand, Cooney, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hansen, Harper, Holmes, Huennekens, Kimble, Meloy, Metcalf, Meyer, Moore, Mular, Robbins, Teague, Tropila, Vincent, Waldron, Wyrick.

Total 26

Excused: Harrington, Menahan.

Total 2

Absent or not voting: Cox, Ellison, Kessler, Palmer, Pistoria, Stobie.

Total 6

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 425 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Eudaily, Fedra, Frates, Gerke, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Tower, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Aageson, Bradley, Dussault, Estenson, Fabrega, Fagg, Gilligan, E. Gunderson, Holmes, Keyser, Marks, Meloy, Metcalf, Meyer, Moore, Robbins, Teague, Tropila, Uhde, Vincent, Waldron.

Total 21

Excused: Harrington, Menahan.

Total 2

Absent or not voting: Ellison, Kessler, O'Connell, Stobie.

Total 4



On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 524 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Meloy, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Smith, South, Staigmilller, Stobie, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 76

Noes: Ellison, Estenson, Fabrega, Hand, Hirsch, Holmes, Kessler, Kimble, Manuel, Marks, Meyer, Moore, Pistoria, Quilici, Severson, Sivertsen, Teague, Tropila, Wyrick.

Total 19

Excused: Harrington, Menahan.

Total 2

Absent or not voting: Burnett, Tower, Turner.

Total 3

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 733 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Eudaily, Fagg, Feda, Gould, Halvorson, Hansen, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Nathe, O'Connell, O'Keefe, Porter, Ramirez, Roth, Ryan, Seifert, Severson, Smith, South, Staigmilller, Tower, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 60

Noes: Barrett, Bradley, Brand, Cooney, Courtney, Dussault, Estenson, Fabrega, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Harper, Holmes, Kennerly, Kimble, Lynch, Meloy, Metcalf, Meyer, Moore, Mular, Palmer, Pistoria, Quilici, Robbins, Scully, Shelden, Stobie, Teague, Tropila, Uhde, Vincent, Waldron.

Total 36

Excused: Harrington, Menahan.

Total 2

Absent or not voting: Ellison, Sivertsen.

Total 2

Harrington present at this time.

## MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/19/77

Senate Bill No. 44, introduced by Manning, Mathers, et al

Senate Bill No. 183, introduced by Roberts, Story, Galt

Senate Bill No. 287, introduced by Aber

Senate Bill No. 349, introduced by Murray

Resolutions passed by the Senate and transmitted  
to the House for concurrence:

2/19/77

Senate Joint Resolution No. 3, introduced by Lowe, Hazelbaker, et al

Senate Joint Resolution No. 28, introduced by Thomas, Mehrens, Lee

### MOTIONS

Dussault moved that HB 342 be rereferred from Second Reading to Committee on Appropriations. Motion carried.

Dassinger moved that HB 479 be rereferred from Second Reading to the Committee on Labor and Employment Relations. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time and referred to committees:

SB 44, introduced by Manning, Mathers, Towe, Aber, (Coal Tax Oversight Committee Bill). Referred to Committee on Taxation.

SB 121, introduced by Manley, E. Smith. Referred to Committee on Taxation.

SB 183, introduced by Roberts, Story, Galt. Referred to Committee on State Administration.

SB 287, introduced by Aber, (By Request of the Investment Commissioner). Referred to Committee on Business and Industry.

SB 349, introduced by Murray. Referred to Committee on Local Government.

SJR 3, introduced by Lowe, Hazelbaker, R. Smith, Roberts, Lockrem. Referred to Committee on Fish and Game.

SJR 28, introduced by Thomas, Mehrens, Lee. Referred to Committee on Judiciary.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 195 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Estenson, Fabrega, Fagg, Feda, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Quilici, Ramirez, Roth, Scully, Seifert, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Mr. Speaker.  
Total 63

Noes: Aageson, Bengtson, Bertelsen, Brand, Burnett, Curtiss, Davis, Ellerd, Ellison, Ernst, Eudaily, Gerke, J. Gunderson, Hirsch, Kenny, Kropp, Lund, McLane, Porter, Robbins, Ryan, Sivertsen, Smith, South, Tower, Turner, Underdal, Waldron, Williams, Wood, Wyrick.  
Total 31

Excused: Menahan.

Total 1

Absent or not voting: R. Baeth, Frates, Palmer, Severson, Shelden.

Total 5

House Bill No. 319 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 84

Noes: Burnett, Davis, Ellerd, Ernst, Estenson, McLane, Seifert, Smith, Stobie, Underdal, Wood, Wyrick.

Total 12

Excused: Menahan.

Total 1

Absent or not voting: Manuel, Palmer, Severson.

Total 3

House Bill No. 436 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Barrett, Burnett, Fedá, Hansen, Kanduch, Lory, Lund, Smith, Stobie, Vinger.

Total 10

Excused: Menahan.

Total 1

Absent or not voting: Gould, Palmer, Severson.

Total 3

House Bill No. 535 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch,



Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 89

Noes: Jensen, Kenny, Keyser, Manuel, Seifert, Underdal.

Total 6

Excused: Menahan.

Total 1

Absent or not voting: Dussault, Palmer, Severson, Mr. Speaker.

Total 4

House Bill No. 542 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Hand, Kenny, Roth, Ryan, Seifert, Teague, Tower, Underdal.

Total 8

Excused: Menahan.

Total 1

Absent or not voting: None.

Total 0

House Bill No. 566 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kessler, Keyser, Kimble, Kvaalen, Lien, Lund, Lynch, McLane, Marks, Meloy, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Shelden, South, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 68

Noes: Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Davis, Ellerd, Ellison, Eudaily, Hirsch, Johnston, Kennerly, Kenny, Kropp, Lory, Manuel, Meyer, Moore, Pistoria, Ryan, Seifert, Severson, Sivertsen, Smith, Staigmillar, Stobie, Underdal, Vinger, Wood, Wyrick.

Total 31

Excused: Menahan.

Total 1



Absent or not voting: None.

Total 0

House Bill No. 581 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, Manuel, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 74

Noes: Burnett, Ellerd, Ellison, Fabrega, Hurwitz, Jensen, Kropp, Kvaalen, McLane, Marks, Meloy, Meyer, Moore, O'Keefe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Underdal, Vinger, Wyrick.

Total 23

Excused: Menahan.

Total 1

Absent or not voting: Davis, Smith.

Total 2

House Bill No. 652 was passed by the following vote:

Ayes: R. Baeth, Bardanouve, Bradley, Brand, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ernst, Estenson, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lory, Lund, Lynch, Manuel, Meloy, Metcalf, Mular, Nathe, Palmer, Quilici, Robbins, Severson, Shelden, South, Teague, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 53

Noes: Aageson, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Curtiss, Ellis, Ellison, Eudaily, Fabrega, Fagg, Fedá, E. Gunderson, Hand, Jensen, Kenny, Keyser, Kropp, Kvaalen, Lien, McLane, Marks, Meyer, Moore, O'Connell, O'Keefe, Pistoria, Porter, Ramirez, Roth, Ryan, Scully, Seifert, Sivertsen, Staigmiller, Stobie, Tower, Tropila, Turner, Underdal, Wood.

Total 43

Excused: Menahan.

Total 1

Absent or not voting: W. Baeth, Smith, Wyrick.

Total 3

House Bill No. 653 was passed by the following vote:

Ayes: Aageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kvaalen, Lory, Lund, Lynch, Manuel, Meloy, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth,

Scully, Severson, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 69

Noes: R. Baeth, Bardanouve, Burnett, Colburn, Conroy, Davis, Ellerd, Ellison, Fabrega, Fedá, Hansen, Jensen, Kenny, Keyser, Kropp, Lien, McLane, Marks, Meyer, Moore, O'Keefe, Ryan, Seifert, Staigmiller, Stobie, Tower, Turner, Vinger, Wyrick.

Total 29

Excused: Menahan.

Total 1

Absent or not voting: Smith.

Total 1

House Joint Resolution No. 19 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Underdal.

Total 1

Excused: Menahan.

Total 1

Absent or not voting: Curtiss, Smith.

Total 2

House Joint Resolution No. 45 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 75

Noes: Brand, Burnett, Davis, Ellerd, Ellison, Estenson, Fedá, Gerke, Hurwitz, Jensen, Keyser, Kvaalen, McLane, Moore, Seifert, Severson, Stobie, Tower, Turner, Underdal, Vinger, Wood.

Total 22

Excused: Menahan.

Total 1

Absent or not voting: Curtiss, Smith.

Total 2

House Joint Resolution No. 49 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Menahan.

Total 1

Absent or not voting: Gerke, Severson.

Total 2

House Joint Resolution No. 52 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Burnett, Cox, Ellerd, Vinger.

Total 4

Excused: Menahan.

Total 1

Absent or not voting: None.

Total 0

House Joint Resolution No. 53 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch,



McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmillier, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Bardanouve, Ellis, Hurwitz, Roth, Sivertsen, Smith, Turner.

Total 7

Excused: Menahan.

Total 1

Absent or not voting: Gerke.

Total 1

House Joint Resolution No. 54 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Menahan.

Total 1

Absent or not voting: Curtiss, Hurwitz.

Total 2

House Joint Resolution No. 68 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vinger, Williams, Wood, Wyrick.

Total 80

Noes: Bardanouve, Bradley, Brand, Cooney, Dussault, Estenson, Fagg, Harper, Holmes, Kennerly, Kessler, Meloy, Metcalf, Scully, Uhde, Vincent, Waldron, Mr. Speaker.

Total 18

Excused: Menahan.

Total 1



Absent or not voting: Gerke.

Total 1

## REPORTS OF STANDING COMMITTEES

EDUCATION (Dussault, Chairman):

2/21/77

HJR 72, do pass. Report adopted.

HB 707, introduced bill, be amended as follows:

1. Amend page 1, lines 15 and 16.

Following: line 14

Strike: lines 15 through 16 in their entirety

Renumber: subsequent subsections

2. Amend page 4, section 2, subsection (7), line 22.

Following: "(7)"

Strike: "Hays-Lodgepole School District #50"

Insert: "Intertribal Education Center, Inc."

And as amended, do pass. Report adopted.

HB 744, do not pass.

HB 768, introduced bill, be amended as follows:

1. Amend page 3, section 2, line 19.

Following: "systems"

Insert: "on Indian reservations"

2. Amend page 4, section 4, lines 7 and 8.

Following: "culture,"

Strike: "and ceremonies"

And as amended, do not pass.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Seifert in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 711 be passed for consideration until the 46th Legislative Day.

That HB 287 be passed for the day.

That HB 495 do pass. (90-4)

That HB 496 do not pass. (62-35)

That HB 560 be passed for the day.

That HB 577 be amended as follows:

1. Amend amendment number 7.

Strike: amendment number 7 in its entirety (96-0)

And be further amended:

2. Amend title, line 7.

Following: "into"

Strike: "crop production or"

3. Amend page 2, section 1, line 6.

Following: "(b)"

Strike: "crop production or"

4. Amend page 2, section 1, lines 10 through 12.

Following: line 9

Strike: lines 10 through 12 in their entirety

Insert: "establish on the regraded areas, and all other lands affected, a diverse, effective, and permanent vegetative cover native to the area of land to be affected and capable of self-regeneration and plant succession at least equal in extent of cover to the natural vegetation of the area shall be approved by the department. Introduced species may be used in the revegetation process where desirable and necessary to achieve the approved postmining irrigated pasture use plan."

5. Amend page 2, section 1, line 16 through page 4, line 8.

Following: line 15 on page 2

Strike: subsections (4) and (5) in their entirety

Insert: "(4) If the proposed plan calls for using introduced species for irrigated pasture, the applicant shall:

(a) file with the department a copy of a purchase back agreement or other document which requires future transfer of title to a surface owner who intends to continue the irrigation of the property. The department shall notify and consult with the future owner concerning the proposed reclamation plan;

(b) submit plans for regrading, topsoiling, reclamation, revegetation, and management which will produce optimal economic, microclimatic, and agronomic conditions for irrigated pasture production with minimal adverse effects on soil erosion, water, pollution, and other environmental factors."

6. Amend page 5, section 2, line 2.

Following: "cover"

Strike: "or crop production"

7. Amend page 5, section 2, line 6.

Following: "cover"

Strike: "or crop production"

8. Amend page 5, section 2, lines 13 through 18.

Following: line 12

Strike: the remainder of the bill in its entirety (91-2)

And be further amended:

9. Amend the amendment no. 4

Following: inserted section (b)

Insert: "(c) if the department determines that the reclamation plan for irrigated pasture has not succeeded, reclaim and revegetate under the provision of subsection (1)(a) of this section." (97-0)

And as amended, do pass. (89-7)

That HJR 25 be amended as follows:

1. Amend title, line 6.

Following: line 5

Strike: "repeal"

Insert: "review"

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2. Amend title, lines 6 and 7.

Following: "OSHA"

Strike: "and directing the Montana attorney general to bring an action to declare OSHA unconstitutional"

3. Amend page 3, line 21.

Following: "to"

Strike: "repeal"

Insert: "review"

4. Amend page 3, line 22.

Following: "1970"

Insert: "to eliminate those practices and procedures which violate the Constitution of the United States"

5. Amend pages 3 and 4, lines 23 through line 7 on page 4.

Following: line 22

Strike: lines 23 through 25 on page 3 and lines 1 through 7 on page 4  
(76-13)

And as amended, be passed for the day.

That HB 63 do pass. (88-0)

That HB 86 do pass. (84-10)

That HB 148 do pass. (76-3)

That HB 247 do pass. (80-2)

That HB 273 be placed below HB 331 on the Second Reading board.

That HB 297 be passed for the day.

That HB 331 be passed for consideration until the 46th Legislative Day.

That HB 273 be amended as follows:

1. Amend section 1, line 19.

Following: "defendant."

Insert: "The plaintiff and defendant may stipulate to a continuance of the trial beyond the limit of this section without the necessity of an undertaking." (77-0)

And as amended, do pass. (78-1)

That HB 344 do pass. (57-40)

Bradley replaced Seifert in the Chair.

Seifert resumed the Chair.

That HB 424 be passed for the day.

That the committee rise and report and beg leave to sit again. (Seifert, Chairman)

Burnett moved that HB 496 be segregated from the Committee of the Whole report. Motion failed.

Kvaalen moved that HB 344 be segregated from the Committee of the Whole report and as amended be adopted. Robbins moved the previous question. Motion carried. Kvaalen's motion failed. Thereupon report was adopted.

## REPORTS OF STANDING COMMITTEES

## BILLS (Quilici, Chairman):

2/21/77

Correctly printed - HB 352, HB 396, HB 455, HB 658, HB 668, HB 709.

Correctly engrossed - HB 230, HB 243, HB 461, HB 646.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 10:40 a.m., 2/21/77 - HB 64, HB 167.

## BUSINESS AND INDUSTRY (Vincent, Chairman):

2/21/77

HB 487, introduced bill, be amended as follows:

1. Amend page 5, section 3, subsection (1), lines 8 through 10.  
Following: "board"  
Strike: "through the satisfactory completion during the previous year of continuing education programs accredited by the board"
2. Amend page 5, section 3, subsection (2), line 14.  
Following: "board"  
Strike: "may"  
Insert: "shall"
3. Amend page 6, section 5, lines 6 through 18.  
Strike: section 5 in its entirety  
Renumber: subsequent section

And as amended, do pass. Report adopted.

HJR 55, do pass. Report adopted.

## JUDICIARY (Scully, Chairman):

2/19/77

HB 343, introduced bill, be amended as follows:

1. Amend title, lines 4 through 8.  
Following: "entitled: 'An act'"  
Strike: lines 4 through 8 in their entirety  
Insert: "to require names and addresses of injured parties and a statement of injury in a complaint for injunction filed by a citizens group or other public interest association."
2. Amend the bill, pages 1 and 2.  
Strike: all of the bill following the enacting clause  
Insert: "Section 1. There is a new R.C.M. section that reads as follows:

Names, addresses, and statement of injury required in certain class actions. Whenever an action for injunctive relief is initiated by a citizens group or other public interest association and it appears by the complaint that there is an injury to a property or civil right of individual members of the association, which injury is distinguishable from an injury to the public generally, the names and addresses of injured members and a statement of the injury shall be provided in the complaint. An injunction may not be granted unless such information is provided in the complaint."

And as amended, do pass. Report adopted.

HB 363, introduced bill, be amended as follows:

1. Amend page 1, section 1, lines 15 and 16.  
Following: "at"  
Strike: "the"



Following: "trial"

Strike: "of such charge"

2. Amend page 1, section 1, lines 17 through 19.

Following: "evidence."

Strike: lines 17 through 19 in their entirety

3. Amend page 2, section 2, subsection (2), lines 4 through 6.

Following: "proceedings,"

Strike: lines 4 through 6 in their entirety

And as amended, do pass. Report adopted.

HB 533, second reading, be amended as follows:

1. Amend title, line 5.

Following: "of"

Strike: "negligent"

Insert: "careless"

2. Amend page 1, section 1, line 11.

Following: "32-2143.3."

Strike: "Negligent"

Insert: "Careless"

3. Amend page 1, section 1, lines 11 through 15.

Following: "driving"

Strike: lines 11 through 15 in their entirety

Insert: "A person operating or driving a vehicle of any character on a public highway of this state shall drive it in a careful and prudent manner so as not to unduly or unreasonably endanger the life, limb, property, or other rights of a person entitled to the use of the street or highway."

Section 2. Penalty. A person violating the provisions of this section is guilty of the offense of careless driving and shall be punishable as provided in 32-21-157."

And as amended, do pass. Report adopted.

## LABOR AND EMPLOYMENT RELATIONS

(Kimble, Chairman):

2/21/77

HB 370, introduced copy, be amended as follows:

1. Amend title, lines 11 and 12.

Following: "the"

Strike: "minimum benefit amount,"

2. Amend title, line 12.

Following: "benefits,"

Insert: "the method of determining on and off indicators for extended benefits,"

3. Amend page 2, section 1, line 23.

Following: "((50%))"

Strike: "Effective July 1, 1977, 15% of the average weekly wage shall constitute the minimum weekly benefit amount and 60%"

Insert: "50%"

4. Amend page 3, section 1, line 2.

Following: "all"

Insert: "maximum weekly benefit amount"

5. Amend page 3, section 1, line 4.

Following: "Such"  
Strike: "minimum or"

6. Amend page 3, section 1.

Following: line 12

Insert: "Beginning on July 1, 1975, the 50% of the average weekly wage shall be raised to 55% and beginning July 1, 1976, be raised to 60% of the average weekly wage. The minimum weekly benefit amount shall be \$12."

7. Amend page 7, section 2, line 15.

Following: "for"

Insert: "such week and for"

8. Amend page 7, section 2, lines 16 and 17.

Following: line 15

Strike: "three (3) most recent completed calendar months ending before such week"

Insert: "immediately preceding 12 weeks"

9. Amend page 7, section 2, line 21.

Following: "for"

Insert: "such week and for"

10. Amend page 7, section 2, lines 22 and 23.

Following: "the"

Strike: "three (3) most recent completed calendar months ending before such week"

Insert: "immediately preceding 12 weeks"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 714, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "finance"

Strike: "bond"

2. Amend page 7, section 1, line 25.

Following: "low-income"

Strike: "households"

Insert: "persons or families"

3. Amend page 10, section 2, lines 17 through 25.

Following: "the"

Strike: lines 17 through 25 in their entirety

Insert: "housing finance account in 35-523(a) a low-income mortgage finance insurance fund. This fund shall be used to secure any bonds issued to finance housing developments in which no less than 20% of the occupants are low-income persons or families. At least 50% of the housing developments financed through the use of this fund must be in rural areas of the state."

And as amended, do pass. Report adopted.

HB 715, do pass. Report adopted.

HB 736, do pass. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman):

2/21/77

HB 128, do not pass.

HB 677, do pass. Report adopted.

HB 767, do not pass.

HB 793, do not pass.

NATURAL RESOURCES (Shelden, Chairman):

HJR 75, introduced copy, be amended as follows:

2/21/77

1. Amend page 3.

Following: line 16

Insert: "be it further resolved, that the Superintendent of Public Instruction shall monitor the progress of the conservation education program and report to the 1979 Legislature."

And as amended, do pass. Report adopted.

HB 390, do not pass.

2/21/77

HB 426, introduced copy, be amended as follows:

2/19/77

1. Amend title, line 6.

Strike: "lease or"

2. Amend page 3, section 3, line 1.

Following: "analysis"

Strike: "required"

Insert: "shall be considered"

3. Amend page 3, section 3, line 4.

Following: "having"

Strike: "secured"

Insert: "considered"

4. Amend page 3, section 3, lines 5 through 9.

Following: "costs"

Strike: ", as computed by a qualified architect or engineer. Furthermore, construction may proceed only upon disclosing, for the facility chosen, the life-cycle costs as determined in (section 4)\* and the capitalization of the initial construction costs of the building"

5. Amend page 3, section 3, line 9.

Following: "building."

Strike: "The"

Insert: "Alternate"

6. Amend page 3, section 3, line 10.

Following: "the"

Strike: "selection"

Insert: "approval"

7. Amend page 3, section 3, lines 13 through 17.

Following: "greater."

Strike: lines 13 through 17

8. Amend page 3, section 4, line 18.

Following: "Section 4."

Strike: "Rules"

Insert: "Procedures"

9. Amend page 3, section 4, lines 19 and 20.

Following: "shall"

Strike: "adopt rules and"

Insert: "recommend"

10. Amend page 3, section 4, lines 24 and 25.

Following: "utilization"

Strike: "for competing designs in the construction"

11. Amend page 3, section 4, line 25.

Following: "state"

Strike: "-financed and leased"

12. Amend page 4, section 4, line 1.

Following: "Such"

Strike: "rules and"

13. Amend pages 4 and 5, section 4, lines 3 through 25 on page 4 and 1 through 10 on page 5.

Following: line 2

Strike: subsections 2 and 3 in their entirety

Renumber: subsequent subsection

14. Amend page 5, section 4, line 11.

Following: "Such"

Strike: "rules"

Insert: "procedures"

15. Amend page 5, section 4, lines 12 through 16.

Following: "analysis"

Strike: ", including those of the national bureau of standards, the department of housing and urban development, and other federal agencies and professional societies and materials developed by the department"

16. Amend page 5, section 4, line 17.

Following: "of"

Strike: "rules"

Insert: "procedures"

17. Amend page 5, section 5, line 18.

Following: "Section 5."

Strike: "Rules"

Insert: "Standards"

18. Amend page 5, section 5, line 19.

Following: "promulgate"

Strike: "rules"

Insert: "standards"

19. Amend page 5, section 5, line 21.

Following: line 20

Strike: "competing"

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 430, do pass. Report adopted.

2/21/77

HB 553, introduced copy, be amended as follows:

2/19/77

1. Amend title, page 1, line 7.

Following: "tax"

Strike: "for a 2-year period and providing an effective date"

Insert: "and severance tax for a 3-year period; amending sections 84-2202, 84-2207, 84-6202, and 84-6204, R.C.M. 1947."

2. Amend page 1, lines 15 through 24.

Following: line 14

Strike: sections 2 and 3 in their entirety

Insert: "Section 2. There is a new R.C.M. section that reads as follows:



(1) Exemption from net proceeds and severance tax. Natural gas produced from a well 5,000 feet deep or deeper on which drilling was commenced after December 31, 1976, but before December 31, 1980, is exempt from one-half the net proceeds tax imposed by chapter 62, Title 84 and all of the severance tax imposed by 84-2202 for 3 years if the gas produced from the well is

(a) placed into a natural gas distribution system for delivery to consumers after diligent completion of the well, and

(b) distributed by a natural gas distribution system serving only natural gas consumers within Montana, or at least 1,000 natural gas consumers within Montana. The 3-year exemption provided by this section shall begin when natural gas from a qualifying well is first placed into a natural gas distribution system.

(2) Notwithstanding the provisions of subsection (1), all reporting requirements under the net proceeds and severance taxes remain in effect.

Section 3. Section 84-2202, R.C.M. 1947, is amended to read as follows:

'84-2202. Oil or gas producers' severance tax — amount — exceptions. Every person engaging in or carrying on the business of producing, within this state, petroleum, or other mineral or crude oil, or natural gas or engaging in or carrying on the business of owning, controlling, managing, leasing or operating within this state any well or wells from which any merchantable or marketable petroleum or other mineral or crude oil or natural gas is extracted or produced, sufficient in quantity to justify the marketing of the same, must, except as provided in (section 2)\* of this act, each year when engaged in or carrying on any such business in this state, pay to the state department of revenue, for the exclusive use and benefit of the state of Montana, a severance tax, computed at the following rates:

(a) (Two and one-tenth per cent (2.1%)) of the total gross value of that portion of all the petroleum and other mineral or crude oil produced by such person from each lease or unit in the calendar quarter not in excess of an amount obtained by multiplying the number of producing wells on such lease or unit by (four hundred fifty (450)) barrels.

(b) (Two and sixty-five hundredths per cent (2.65%)) of the total gross value of that portion of all the production of such person from each lease or unit in each calendar quarter in excess of (four hundred fifty (450)) barrels multiplied by the number of producing wells on such lease or unit; but in determining the amount of such tax there shall be excluded from consideration all petroleum, or other crude or mineral oil produced and used by such person during such year in connection with his operations in prospecting for, developing and producing such petroleum, crude or mineral oil; provided, however, that nothing in this act shall be construed as requiring laborers or employees, hired or employed by any person, to drill any oil well, or to work in or about any oil well, or prospect or explore for, or do any work for the purpose of developing any petroleum or other mineral or crude oil to pay such severance tax, nor shall any work be done, or the drilling of any well or wells, for the purpose of prospecting or exploring for petroleum or other mineral or crude oils, or for the purpose of developing same, be

deemed to be engaging in or carrying on of any such business; provided, further, that in the doing of any such work, or in the drilling of any oil well, or in such prospecting, exploring or development work, any merchantable or marketable petroleum or other mineral or crude oil in excess of the quantity required by such person for carrying on such operation shall be produced sufficient in quantity to justify the marketing of the same, then such work, drilling, prospecting, exploring or development work shall be deemed to be the engaging in and carrying on of such business within this state within the meaning of this section.

(c) (Two and sixty-five hundredths percent (2.65%)) of the total gross value of natural gas produced from each lease or unit, but in determining the amount of such tax there shall be excluded from consideration all gas produced and used by such person during such year in connection with his operations in prospecting for, developing and producing such gas, or petroleum, crude or mineral oil; and there shall also be excluded from consideration all gas recycled or reinjected into the ground.

(d) Every person required to pay such tax hereunder shall pay the same in full for his own account and for the account of each of the other owner or owners of the gross proceeds in value or in kind of all the marketable petroleum or other mineral or crude oil or natural gas extracted and produced, including owner or owners of working interest, royalty interest, overriding royalty interest, carried working interest, net proceeds interest, production payments and all other interest or interests owned or carved out of the total gross proceeds in value or in kind of such extracted marketable petroleum or other mineral or crude oil or natural gas, except that any of the aforesaid interests that are owned by the federal, state, county or municipal governments shall be exempt from taxation under this chapter. Unless otherwise provided in a contract or lease, the prorata share of any royalty owner or owners will be deducted from any settlements under said lease or leases or division of proceeds orders or other contracts.'

Section 4. Section 84-2207, R.C.M. 1947, is amended to read as follows:

'84-2207. Statement to accompany payment — records — collection of tax — refunds. (1) Each and every person must, within (sixty (60)) days after the end of each following quarter, make out on forms prescribed by the department of revenue a statement showing the total number of barrels of merchantable or marketable petroleum, and other mineral or crude oil or cubic feet of natural gas produced or extracted by such person in the state of Montana during each month of such quarter and during the whole quarter, the average value thereof during each month and the total value thereof for the whole quarter, together with the total amount due to the state as severance taxes for such quarter; and must, except as provided in (section 2)\* of this act, within such (sixty (60)) days deliver such statement and pay to the department of revenue the amount of the taxes shown by such statement to be due to the state of Montana for the quarter for which such statement is made. Such statement must be signed and verified by the oath of the individual or individuals, or by the president, vice-president, treasurer, assistant treasurer, or managing agent in this state of the association, corporation, joint-stock company or syndicate making the same. Any such person engaged in carrying on such business at more than

one place in this state, or owning, leasing, controlling, or operating more than one oil or gas well in this state, may include all thereof in one statement. The department of revenue shall receive and file all such statements and collect and receive from such person making and filing a statement the amount of tax payable by such person, if any, as the same shall appear from the face of the statement.

(2) It shall be the duty of the department of revenue to examine each of such statements and compute the taxes thereon, and the amount so computed by the department of revenue shall be the taxes imposed, assessed against and payable by the taxpayer making the statement for the quarter for which the statement is filed. If the tax found to be due shall be greater than the amount paid, the excess shall be paid by the taxpayer to the department of revenue within (ten (10)) days after written notice of the amount of the deficiency shall be mailed by the department of revenue to such taxpayer. Provided, that if the tax imposed shall be less than the amount paid, the difference must be applied as a credit against tax liability for subsequent quarters, or refunded if there is no subsequent tax liability.'

Section 5. Section 84-6202, R.C.M. 1947, is amended to read as follows:

'84-6202. Statement of yield, penalty, extension of time. Every person engaged in mining upon any mine whatsoever containing natural gas, petroleum, or other crude or mineral oil must, except as provided in (section 2)\* of this act, on or before the thirty-first day of March in each year make out and deliver to the state department of revenue a statement of the gross yield of such natural gas, petroleum, or other crude or mineral oil from each mine owned or worked by such person during the next preceding calendar year, and the value thereof. Such statement shall be in the form prescribed by the state department of revenue and must be verified by the oath of such person or the manager, superintendent, agent, president or vice-president of such corporation, association or partnership. Such statement shall show the following:

1. The name and address of the operator of the mine, together with a list in duplicate of the names and addresses of any and all persons owning or claiming any royalty interest in the mineral product of such mine or the proceeds derived from the sale thereof, and the amount or amounts paid or yielded as royalty to each of such persons during the period covered by the statement.
2. The description and location of the mine.
3. The number of cubic feet of natural gas, barrels of petroleum, or other crude or mineral oil extracted or produced from the mine during the period covered by the statement.
4. The gross yield or value in dollars and cents.
5. Actual cost of extracting same from mine.
6. Cost of construction, repairs and betterments of mines.
7. Actual cost of fire insurance and workmen's compensation insurance.

If any person shall fail, neglect or refuse to file the statement required by this section within the time required, or within any



extended period of time allowed, the state department of revenue when transmitting the net proceeds valuations to the counties shall inform the county assessor of such failure, neglect or refusal and the county assessor in addition to the net proceeds tax, if any, shall assess a penalty of  $\frac{2}{3}$  of 1% of such tax for each calendar month or fraction thereof that the required statement is not filed, deducting therefrom any moneys collected by the state department of revenue required by this section. The state department of revenue shall assess a penalty of \$25 for each calendar month or fraction thereof, not exceeding four months, that the required statement is not filed, to be collected by the state department of revenue and deposited to the credit of the general fund of the state of Montana.

The state department of revenue shall upon a showing of reasonable cause, grant an extension of time for filing the statement required by this section.

This penalty shall be in addition to penalties provided in section 84-6209.'

Section 6. Section 84-6204, R.C.M. 1947, is amended to read as follows:

'84-6204. Deduction of drilling costs and capital expenditures. The state department of revenue in computing the deductions allowable for cost of drilling wells completed during the period and for other capital expenditures shall allow (ten per cent (10%)) of such cost each year for a period of (ten (10)) years, beginning after the 3-year exemption period allowed in (section 2)\* of this act for qualified wells; provided, however, the operator or producer may elect to amortize the cost over a period of (two (2)) years if the well is less than (three thousand (3,000)) feet deep.

The department shall also compute and allow deductions for any capital expenditures made during the year 1953, where the same have not been previously allowed in computing such net proceeds under the laws of the state of Montana.'

Section 7. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 631, do not pass.	2/21/77
HB 679, do pass. Report adopted.	2/21/77
HB 692, introduced copy, be amended as follows:	2/19/77

1. Amend title, line 6.

Following: "penalty"

Insert: "; and providing a delayed effective date"

2. Amend page 1, section 1, line 10.

Following: "gas"

Insert: "or propane gas"

3. Amend page 1.



Following: line 13

Insert: "Section 2. Delayed effective date. This act is effective on July 1, 1978."

And as amended, do pass. Report adopted.

HB 701, introduced copy, be amended as follows:

2/19/77

1. Amend page 2, section 2, lines 13 through 16.

Following: "administration's"

Strike: "weatherization program and through cooperation with the department of social and rehabilitation services and those moneys eligible for weatherization programs under Title XX of the Social Security Act"

Insert: "emergency energy conservation program, the federal energy administration's low income weatherization assistance program, and any other federal funds intended to increase the energy efficiency of dwellings occupied by persons of low and fixed incomes, except for Title XX of the Social Security Act"

2. Amend page 2, section 3, line 19.

Following: "formula."

Insert: "(1) The department of community affairs may use not more than 10% of the total weatherization funds for administration of the weatherization program. (2)"

3. Amend page 2, section 3, line 22.

Strike: "(1)"

Insert: "(a)"

Following: "of"

Strike: "all"

Insert: "the remaining"

4. Amend page 2, section 3, line 23.

Following: "each"

Strike: "local area"

Insert: "of the governor's sub-state planning districts"

5. Amend page 3, section 3, line 2.

Strike: "(2)"

Insert: "(b)"

Following: "of"

Strike: "all"

Insert: "the remaining"

6. Amend page 3, section 5, lines 11 through 20.

Strike: section 5 in its entirety

And as amended, do pass. Report adopted.

HB 731, do not pass.

2/21/77

HJR 20, introduced copy, be amended as follows:

2/21/77

1. Amend page 2, line 14.

Following: "state,"

Strike: "and"

2. Amend page 2, line 15.

Following: "jurisdictions,"

Insert: "and the Salish-Kootenai confederation,"

3. Amend page 3, line 1.

Following: "County"

Insert: "and Lincoln County"

4. Amend page 3.

Following: line 3

Insert: "(7) in the Indian community, members of the Salish-Kootenai tribes should be represented,"

Renumber: subsequent subsection

And as amended, do pass. Report adopted.

### MOTIONS

Marks moved that HB 699 be rereferred from Engrossing to the Committee on Taxation. Motion carried.

Kvaalen moved that the House reconsider its action in passing HB 344 on Second Reading. Kvaalen requested a Call of the House. Sufficient seconds arose and a Call of the House was ordered.

Meloy moved that the Call of the House be removed. Motion failed, lacking a  $\frac{2}{3}$  majority. (57-39)

Meloy moved that the Call of the House be removed. Motion carried. (80-15)

Thereupon Kvaalen's motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Seifert in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 437 be amended as follows:

1. Amend page 10, section 9, line 21.

Following: "may"

Insert: ", on the basis of 32-4520," (82-0)

And as amended, do pass. (80-6)

That HB 451 be passed for the day.

That HB 473 be amended as follows:

1. Amend page 2, section 3, line 13.

Following: line 13

Insert: "Section 4. Disposition of tax. The proceeds of the privilege tax imposed in (section 3)\* shall be deposited in the state treasury to the credit of the renewable resource development account."

Renumber: subsequent sections (75-11)

And be further amended:

1. Amend page 3.

Following: line 10

Insert: "Section 6. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in

effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications." (77-10)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do not pass. (56-40)

That the committee rise and report. (Seifert, Chairman) Report adopted.

### MOTIONS

Vincent moved that HB 701 be rereferred from Printing to the Committee on Appropriations. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., February 22, 1977.

Motion carried.

House adjourned at 7:20 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. MCGEE, Chief Clerk





## FORTY-FOURTH LEGISLATIVE DAY

Helena, Montana  
February 22, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Father James Reeves of St. Peter's Episcopal Cathedral. Pledge of Allegiance to the Flag.

Roll call. All members present except Kessler, Menahan, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Correctly printed - HJR 72.	2/21/77
Correctly printed - HB 307, HB 395, HB 430, HB 677, HB 679, HB 715, HB 736, HJR 55.	2/22/77
Considered correctly engrossed - HB 86, HB 247, HB 495.	2/22/77
Correctly engrossed - HB 527.	2/22/77

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman): 2/22/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business February 14, 1977:

Shirley Clausen ..... Stenographer

At the beginning of business February 15, 1977, the following also be employed:

Sue E. Heggen ..... Stenographer

BUSINESS AND INDUSTRY (Vincent, Chairman): 2/22/77

HB 146, introduced bill, be amended as follows:

1. Amend page 5, section 1, subsection (9), line 17.

Following: "fairgrounds."

Insert: "However, such license is effective for and such privileges may be exercised on no more than a total of 60 days in any single calendar year."

And as amended, do pass. Report adopted.

HB 322, do not pass.

HB 482, do pass. Report adopted.

HB 536, do not pass.

HB 558, introduced bill, be amended as follows:

1. Amend title, line 8.

Following: "50-1039"

Insert: "50-1040,"

Following: "1947"

Insert: "; and repealing section 50-1049, R.C.M. 1947"

2. Amend page 1, section 1, subsection (1), line 18.

Following: "operation"

Insert: ", which designation shall include all lands reasonably antic-

ipated to be mined or otherwise affected during the applicable 5-year period"

3. Amend page 3, section 1, subsection (3), line 1.

Following: "respond."

Insert: "(4)"

Renumber: subsequent sections

4. Amend page 8, section 1, subsection (7)(a), lines 20 through 21.

Following: "(The)"

Strike: "For a bond for the first year of operations, the"

Insert: "The"

5. Amend page 9, section 1, subsection (7)(a), line 5.

Following: "board."

Insert: "The level of bonding shall be relative to the degree of disturbance projected by the original permit and the annual report."

6. Amend page 9, section 1, lines 10 through 22.

Following: line 9

Strike: subsection (7)(b) in its entirety

Renumber: subsequent subsection

7. Amend page 10.

Following: line 6

Insert: "Section 2. Section 50-1040, R.C.M. 1947, is amended to read as follows:

'50-1040. Increase or reduction in area — application — fee — bond. The department may increase or reduce the area of land affected by an operation under a permit on application by an operator, but an increase may not extend the period for which an original permit was issued. An operator may, at any time (within one (1) year from the date of issuance of the permit), apply to the department for an amendment of the permit so as to increase or reduce the acreage affected by it. The operator shall file an application and map in the same form and with the same content as required for an original application under this act and shall pay an application fee of (fifty dollars ()\$50()) and shall file with the department a supplemental bond in the amount to be determined under section 6 (50-1039)\* for each acre or fraction of an acre of the increase approved. If the department approves a reduction in the acreage covered by the original or supplemental permit, it shall release the bond for each acre reduced, but in no case shall the bond be reduced below (two thousand dollars ()\$2,000()), except as provided in subsection (5) of section 6 (50-1039)\*."

Renumber: subsequent sections

8. Amend page 12, section 2, line 20.

Following: "(2)"

Strike: "(4)"

Insert: "(5)"

9. Amend page 13.

Following: line 9

Insert: "Section 5. Repealer. Section 50-1049, R.C.M. 1947, is repealed."

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 564, do pass. Report adopted.  
 HB 748, do pass. Report adopted.  
 HB 786, do not pass.  
 HB 790, do not pass.  
 HJR 50, do not pass.

LOCAL GOVERNMENT (Robbins, Chairman):

2/21/77

HB 716, introduced copy, be amended as follows:

1. Amend page 1, section 1, line 22.

Following: "((\$.07  $\frac{3}{4}$ ))"

Strike: "10"

Insert: "8  $\frac{1}{2}$ "

2. Amend page 2, section 2, line 8.

Following: "84-1847,"

Strike: "2  $\frac{1}{4}$ "

Insert: " $\frac{3}{4}$ "

(Material in parentheses denotes cancelled type.)

And as amended, do not pass.

HB 745, introduced copy, be amended as follows:

1. Amend page 1, section 1, line 12.

Following: "'municipality'"

Insert: "' , 'city', or 'town'"

2. Amend page 1, section 1, lines 14 through 16.

Following: "prior to"

Strike: lines 14 through 16 in their entirety

Insert: "the effective date of a county-municipal consolidation were incorporated municipalities, or subsequent districts created for urban law enforcement services."

3. Amend page 1.

Following: line 16

Insert: "Section 2. Municipality — definition. Unless the context requires a different meaning, any reference to 'municipality', 'city', or 'town' in the laws governing firemen's retirement and death and disability benefits includes those jurisdictions which, prior to the effective date of a county-municipal consolidation were incorporated municipalities, or subsequent districts created for urban fire protection services."

Renumber: subsequent section

4. Amend page 2, section 2, line 8.

Following: "benefits"

Insert: "and laws governing firemen's retirement and death and disability benefits"

5. Amend page 2, section 2, line 12.

Following: "benefits"

Insert: "and laws governing firemen's retirement and death and disability benefits"

6. Amend page 2.

Following: line 14

Insert: "(6) Every reference to 'cities of the third class' in the laws governing police retirement and death and disability benefits and laws governing firemen's retirement and death disability benefits"



shall be changed to 'municipality having a population of less than 5,000 and more than 1,000'."

And as amended, do pass. Report adopted.

NATURAL RESOURCES (Shelden, Chairman):

2/19/77

HB 687, introduced copy, be amended as follows:

1. Amend title, line 6.

Strike: "department of natural resources and conservation"

Insert: "governor's office"

2. Amend page 5, section 4.

Following: line 2

Insert: "(4) 'Energy and resource policy office' means the energy policy office which may be established (by House Bill 204)\* or the appropriate energy policy agency within the governor's office."

3. Amend page 6, section 5, subsection (4), lines 6 through 13.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

4. Amend page 9, section 7, line 10.

Following: "duties"

Strike: ".,"

Insert: ". All rule making and other activities of the commission shall be subject to the provisions of the Administrative Procedure Act (82-4201 through 82-4229) and the Open Meetings Law (82-3401 through 82-3403), and the records and minutes of the commission and its staff and employees shall be public documents; however, any information unique to the owner or operator which would, if disclosed, reveal methods or processes entitled to protection as trade secrets, shall be maintained as confidential if so determined by a court of competent jurisdiction. The owner or operator shall file a declaratory judgment action to establish the existence of a trade secret if he wishes such information to enjoy confidential status. The commission shall be served in any such action, and may intervene as a party therein. Any trade secrets not intended to be public when submitted to the commission shall be submitted in writing and clearly marked as confidential."

5. Amend page 12, section 10, line 22 through line 8 on page 13.

Following: "Construction."

Strike: section 10 in its entirety

Insert: "The purpose of this act is to promote research into methods for the gasification of coal and related fuel resources, and thereby, to promote the prosperity and welfare of the citizens of Montana. However, nothing in this act may be construed as permitting the commission or any other agency of state government to promote, fund, or engage in the construction or operation of any synthetic fuel production plant, demonstration or pilot plant, or any related facilities of any kind, nor to apply for any license, permit, certificate, or approval necessary for construction or operation of such facilities, nor to seek or disburse federal or other funds for any such purposes."

6. Amend page 13.

Following: line 8

Insert: "Section 11. Report and termination. (1) The commission shall make a report of all of its activities to the 1979 legislature, and an accounting of its expenditures and receipts. Receipts shall include in-kind contributions of all activities of other state, federal



or municipal agencies and private organizations which are contributed to the commission as input into its research and study of coal gasification and related fuel producing projects.

(2) The commission and all powers granted to it by this act shall terminate June 30, 1979, unless specifically extended by law.

(3) Section 12. Appropriations. There is appropriated from the general fund for the biennium ending June 30, 1979 to the Montana commission for the research of coal gasification and related fuels for the purposes set forth in this act, the following funds:

	Fiscal Year	Fiscal Year
	Ending	Ending
	6/30/78	6/30/79
Personnel	\$29,049	\$29,647
Operating Expenses	10,000	10,000
Equipment	2,000	500
Total	\$41,049	\$40,147"

Renumber: subsequent section

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do not pass.

Objection raised by Pistoria on 2/22/77 on adverse committee report on HB 793. Referred to Second Reading.

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted  
to the House for concurrence:

2/21/77

Senate Bill No. 37, introduced by Turnage, Roskie (by request)

Senate Bill No. 182, introduced by Roberts, Regan, Goodover

Senate Bill No. 184, introduced by Himsl, Olson, Nelson, et al

Senate Bill No. 191, introduced by Hager, Murray, Bergren, et al

Senate Bill No. 197, introduced by E. Smith, Kolstad, et al

Senate Bill No. 231, introduced by Rasmussen, Galt, et al

Senate Bill No. 241, introduced by E. Smith, Etchart, et al

Senate Bill No. 258, introduced by Peterson

Senate Bill No. 283, introduced by Himsl (by request)

Senate Bill No. 302, introduced by Roskie, Turnage, et al

Senate Bill No. 314, introduced by Hager

Senate Bill No. 356, introduced by Turnage, et al

Senate Bill No. 395, introduced by Mehrens, Lee, et al

Senate Bill No. 405, introduced by Mehrens (by request)

Senate Bill No. 419, introduced by Towe, Dover, et al

House Bill concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

2/21/77

House Bill No. 185, introduced by Keyser, Seifert, South

Joint Resolutions passed by the Senate and transmitted to the House for concurrence:

2/21/77

Senate Joint Resolution No. 19, introduced by Lockrem, Fasbender

Senate Joint Resolution No. 25, introduced by Boylan, Kolstad, Lensink, et al

Senate Bill No. 121, introduced by Manley, E. Smith, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed by the Senate and transmitted to the House with the following vote:

2/19/77

#### SENATE

YEAS - 33

NAYS - 16

#### MOTIONS

Meloy moved that HB 297 be passed for consideration until the 48th Legislative Day. Motion carried.

Meloy moved that HB 141 be passed for consideration until the 53rd Legislative Day. Motion carried.

Holmes moved that HJR 86 be rereferred from the Committee on Public Health, Welfare and Safety to the Appropriations Subcommittee - Agency I - Human Services. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time and referred to committees:

SB 37, introduced by Turnage, Roskie, (By Request of Administrative Code Committee). Referred to Committee on Judiciary.

SB 182, introduced by Roberts, Ryan, Goodover. Referred to Committee on Business and Industry.

SB 184, introduced by Himsl, Olson, Nelson, Mathers, Fasbender, Stephens, Kolstad, Norman. Referred to Committee on State Administration.

SB 191, introduced by Hager, Murray, Bergren, Turnage, Roberts, Stephens. Referred to Committee on State Administration.

SB 197, introduced by E. Smith, Kolstad, Graham, Bergren, McCallum, Mathers, Nelson, Dover, Manley. Referred to Committee on State Administration.

SB 231, introduced by Rasmussen, Galt, Devine, Thomas. Referred to Committee on Business and Industry.

SB 241, introduced by E. Smith, Etchart, McCallum, Kolstad, Mathers, Aber, Olson, Dover, Thiessen, Jergeson. Referred to Committee on Business and Industry.

SB 258, introduced by Peterson. Referred to Committee on Business and Industry.

SB 283, introduced by Himsl, (By Request of the Investment Commissioner). Referred to Committee on Business and Industry.

SB 302, introduced by Roskie, Turnage, Manley, Devine, (By Request of the Administrative Code Committee). Referred to Committee on Natural Resources.

SB 314, introduced by Hager. Referred to Committee on Natural Resources.

SB 356, introduced by Turnage, Towe, Roberts. Referred to Committee on Judiciary.

SB 395, introduced by Mehrens, Lee, Healy, Peterson. Referred to Committee on State Administration.

SB 405, introduced by Mehrens, (By Request). Referred to Committee on Judiciary.

SB 419, introduced by Towe, Dover, Roberts, Murray. Referred to Committee on Judiciary.

SJR 19, introduced by Lockrem, Fasbender. Referred to Committee on Judiciary.

SJR 25, introduced by Boylan, Kolstad, Lensink, McOmber, Lee, Murphy, Roberts, Mehrens, Healy, Peterson, Hager, Lockrem, Flynn, Graham, Manley, Brown, E. Smith, McCallum, Aber, Lowe, Jergeson, Roskie, Galt, Etchart, Olson, Nelson, Dunkle, Turnage, Stephens, Rasmussen, Dover, Story. Referred to Committee on Education.

### REPORTS OF STANDING COMMITTEES

Objection raised by Kimble on 2/22/77 on adverse committee report on HB 768. Referred to Second Reading.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 211 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Brand, Moore, Pistoria, Ryan, Smith, Tower, Turner.

Total 7

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Day, Lien, Lynch, Scully.

Total 6

House Bill No. 243 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Davis, Day, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Manuel, Meloy, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Seifert, Severson, Shelden, Sivertsen, South, Teague, Tropila, Turner, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 69



Noes: Barrett, Cox, Curtiss, Dassinger, Ellerd, Ellison, Estenson, Feda, Hurwitz, Kanduch, McLane, Marks, Meyer, Moore, Roth, Ryan, Smith, Staigmiller, Stobie, Tower, Uhde, Underdal, Vinger.

Total 23

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Bardanouve, Burnett, Lien, Lynch, Scully.

Total 6

House Bill No. 348 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Ellison, Feda, Smith, Stobie, Tower, Vinger.

Total 6

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Lien, Lynch, Scully.

Total 5

House Bill No. 405 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Conroy, Cox, Curtiss, Davis, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harrington, Holmes, Hurwitz, Johnston, Kanduch, Kenny, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Meloy, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Seifert, Sivertsen, South, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Wood.

Total 56

Noes: R. Baeth, Bengtson, Brand, Colburn, Cooney, Courtney, Dassinger, Dussault, Ellerd, Estenson, Frates, Gerke, Hand, Harper, Hirsch, Huennekens, Jensen, Kennerly, Keyser, Kimble, Manuel, Metcalf, Palmer, Robbins, Ryan, Severson, Shelden, Smith, Staigmiller, Teague, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 36

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Lien, Lynch, Mular, Scully.

Total 6

House Bill No. 509 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg



Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Meloy, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 85

Noes: Bertelsen, Ellerd, Ernst, Moore, Nathe, Stobie, Underdal, Wyrick.

Total 8

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Lien, Marks, Scully.

Total 5

House Bill No. 526 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Curtiss, Lund, McLane, Nathe.

Total 4

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Lien, Lynch.

Total 4

House Bill No. 570 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Brand, Dassinger, Sivertsen, Tower, Tropila, Turner.

Total 6

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Lien, Lynch, Scully.

Total 5

House Bill No. 582 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Lund, Lynch, Manuel, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, Sivertsen, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 80

Noes: Ellis, Estenson, Hurwitz, Kropp, Kvaalen, Lory, McLane, Marks, Moore, Roth, Seifert, Severson, Smith, Wyrick.

Total 14

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Bardanouve, Burnett, Lien.

Total 4

House Bill No. 619 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Brand.

Total 1

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Lien, Lynch.

Total 4

House Bill No. 633 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kennerly, Keyser, Kimble, Kvaalen, Lory, Lund, Lynch, Manuel, Marks, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez,

Robbins, Scully, Severson, Shelden, Sivertsen, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 67

Noes: Barrett, Bertelsen, Cox, Curtiss, Ellerd, Ellis, Ernst, Feda, Johnston, Kenny, Kropp, McLane, Meloy, Meyer, Roth, Ryan, Seifert, Smith, Staigmilller, Stobie, Tower, Turner, Underdal, Vinger, Wyrick.

Total 25

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Bengtson, Burnett, Ellison, Kanduch, Lien.

Total 6

House Bill No. 646 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kessler, Kimble, Lory, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Shelden, Sivertsen, South, Teague, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 62

Noes: R. Baeth, Barrett, Conroy, Curtiss, Davis, Ellerd, Ellison, Ernst, Halvorson, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kropp, Kvaalen, Manuel, Meyer, Moore, Nathe, Roth, Ryan, Seifert, Smith, Staigmilller, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Wood, Wyrick.

Total 33

Paired: Kessler, Lynch, Menahan, Aye; Meyer, Moore, Seifert, No.

Excused: None.

Total 0

Absent or not voting: Aageson, Burnett, Lien, Lund, Severson.

Total 5

House Bill No. 675 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Brand, Hand, Seifert.

Total 3

Excused: Kessler, Menahan.

Total 2



Absent or not voting: Aageson, Burnett, Lien, Lynch.

Total 4

House Bill No. 718 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Roth, Smith.

Total 2

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Lien, Lynch.

Total 4

House Bill No. 720 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sheldon, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Roth, Smith.

Total 2

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Davis, Ellison, Lien, Lynch, Scully.

Total 7

House Bill No. 757 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser,



Kimble, Kropp, Kvaalen, Lory, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Shelden, Sivertsen, Smith, South, Staigmillar, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Curtiss, J. Gunderson, Kennerly, Lund, Nathe, Roth, Scully, Stobie, Teague, Vinger.

Total 10

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Lien, Lynch, Severson.

Total 5

House Joint Resolution No. 64 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Aageson, Burnett, Lien, Lynch.

Total 4

House Joint Resolution No. 66 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Ageson, Bertelsen, Burnett, Lien.  
Total 4

### REPORTS OF STANDING COMMITTEES

RULES (Meloy, Chairman):

2/22/77

HB 213, do pass. Report adopted.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 523 do pass. (79-6)

That HB 534 do pass. (50-47)

That HB 565 do pass. (89-0)

That HB 587 do pass. (69-17)

That HB 654 do pass. (85-9)

That HB 669 do pass. (91-1)

That HB 676 do not pass. (67-26)

That HB 694 do pass. (82-0)

That HB 713 be amended as follows:

1. Amend page 10, section 13.

Following: line 17

Insert: "(4) a conservation easement as defined in 62-603(e);"

Renumber: subsequent sections (86-0)

And as amended, be placed below HB 764 on the Second Reading board.

That HB 719 be amended as follows:

1. Amend page 6, section 3, subsection 10, line 9.

Following: "and"

Strike: "59-807"

Insert: "59-801" (81-0)

And as amended, do pass. (90-0)

That the committee rise and report and beg leave to sit again. (Scully, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

2/22/77

Correctly engrossed - HB 273, HB 296.

Correctly printed - HB 363, HB 692, HB 714.

Was signed by the Speaker on adjournment 2/21/77 - SB 54.

FISH AND GAME (Staigmilller, Chairman):

2/22/77

HB 181, second reading bill, be amended as follows:

1. Amend page 2, section 1, subsection (2)(b), lines 15 through 22.

Following: "district"

Strike: lines 15 through 22 in their entirety

Insert: "."

2. Amend page 2, section 1, subsection (3), line 25.

Following: "game,"

Strike: "and"

Following: "wildlife"

Insert: ", and people"

And as amended, do pass. Report adopted.

HB 657, do not pass.

HJR 15, introduced bill, be amended as follows:

1. Amend title, line 9.

Following: "organizations"

Insert: "and landowners"

2. Amend page 1, line 16.

Following: "clubs"

Insert: ", landowners,"

3. Amend page 2, line 4.

Following: "knowledge"

Strike: "as well as"

Insert: "in addition to"

4. Amend page 2, line 5.

Following: "organizations"

Insert: "and landowners"

And as amended, do pass. Report adopted.

HJR 82, do pass. Report adopted.

SB 281, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman):

2/22/77

HJR 35, do pass. Report adopted.

HB 156, do pass. Report adopted.

HB 588, introduced copy, be amended as follows:

1. Amend page 7, section 4, line 19.

Following: "Act"

Strike: ". If"

Insert: ", and if"

2. Amend page 7, section 4, lines 20 and 21.

Following: "shall"

Strike: ", within 120 days of receipt of the complete application,"

3. Amend page 13, section 5, line 9.

Following: "general"

Strike: "shall"

Insert: "may"

4. Amend page 13, section 5, lines 13 and 14.

Following: "violating"

Strike: "or threatening to violate"

And as amended, do pass. Report adopted.

STATE ADMINISTRATION (Brand, Chairman):

2/22/77

HB 794, do pass. Report adopted.

HB 798, do not pass.

HB 804, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman):

2/22/77

HB 368, do not pass.

HB 369, do not pass.

HB 640, do not pass.

HJR 61, do pass. Report adopted.

HJR 67, do pass. Report adopted.

HJR 76, do pass. Report adopted.

JOINT SELECT COMMITTEE ON EMPLOYEE COMPENSATION

(South, Chairman):

2/22/77

HB 293, do not pass.

HB 327, do not pass.

HB 346, do pass. Report adopted.

HB 612, do pass. Report adopted.

On motion by Gilligan, and in accordance with the 24-hour rule, the adverse committee report on HB 744 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellison, Estenson, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Wyrick, Mr. Speaker.

Total 77

Noes: Barrett, Brand, Ernst, Eudaily, Fabrega, Gilligan, Keyser, Moore, Scully, Stobie, Uhde.

Total 11

Excused: Kessler, Menahan.

Total 2

Absent or not voting: R. Baeth, Davis, Ellis, Hand, Kennerly, Lien, McLane, Robbins, Williams, Wood.

Total 10

Objection raised by Mular on 2/22/77 on adverse committee report on HB 293. Referred to Second Reading.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:



That HB 728 be amended as follows:

1. Amend title, line 6.

Following: "handicap"

Insert: "; and providing an immediate effective date"

2. Amend page 2.

Following: "line 7"

Insert: "Section 2. Effective date. This act is effective on its passage and approval." (60-1)

And as amended, do pass. (80-1)

That HB 764 do pass. (90-0)

That HB 713 be amended as follows:

1. Amend page 10, line 22.

Following: "timber,"

Insert: "sand, gravel," (81-0)

And as amended, do pass. (87-1)

That HB 769 be passed for the day.

That HJR 30 do pass. (62-28)

That HJR 65 be amended as follows:

1. Amend page 3, line 1.

Following: "Commissioners"

Strike: "affect"

Insert: "effect"

And as amended, do pass. (65-28)

That HJR 41 do pass. (75-18)

That HB 287 do not pass. (55-36)

That HB 344 be amended as follows:

1. Amend title, lines 7 through 9.

Following: "1977,"

Insert: "prohibiting certain corporations from engaging in agricultural production or owning agricultural land"

2. Amend title, lines 9 through 11.

Following: "(land.)"

Strike: "requiring corporations engaged in agriculture in Montana to make an annual report: and providing a penalty"

3. Amend page 1, section 3, line 23.

Following: line 22

Insert: "Section 3. Definitions. As used in this act, unless the context otherwise requires, the following definitions apply:

(1) 'Agriculture' means the cultivation of the ground, the harvesting of crops, the production or the raising of plants or animals useful to man, or any combination thereof, but does not include the growing or harvesting of timber or other aspects of silviculture.

(2) 'Agricultural land' means any rural real estate which is used or usable for the business of agriculture.

(3) 'Nonagricultural assets' means any property, plant, or equip-

ment not used in the practice of agriculture or not located on agricultural land. Mineral rights owned by the surface owner of agricultural land may not be classified as nonagricultural assets if the surface owner is engaged in the practice of agriculture.

(4) 'Corporation' includes business associations, joint-stock companies, and business trusts.

Section 4. Restrictions — exemptions. (1) No corporation controlling or owning nonagricultural assets in excess of \$5 million and no corporation owned or controlled by persons, partnerships, or corporations who own or control nonagricultural assets in excess of \$5 million may engage directly or indirectly in agricultural production or control or attempt to control agricultural production in this state through owning, leasing, holding, or controlling land for agricultural purposes by any means of acquisition. The foregoing prohibitions do not apply in the case of any one or more of the following:

(a) charitable institutions which engage in agricultural production for other than income purposes as a part of their charitable function;

(b) educational institutions engaged in research as a part of academic and extension activities;

(c) nonprofit institutions engaged in agricultural production solely for purposes of research;

(d) grazing associations if membership is comprised solely of Montana residents;

(e) any federal, state, county, or city government department, agency, or body engaged in agricultural production or research, including but not limited to political subdivisions, special improvement districts, and other districts authorized by law;

(f) farmer- or producer-owned associations which meet the provisions of the Capper-Volstead Act;

(g) any corporation engaged in the transportation of persons or property by railroad, which owns or controls property incidental to its principal business purpose because of acquisitions or grants for railroad purposes, in order to encourage construction of railroads, or for purposes reasonably related to the operation or maintenance of its railroad property.

(2) Persons who are not citizens or residents of the United States and corporations that are not owned by American citizens or residents, except for citizens and corporations owned by citizens of nations contiguous to the United States, may not own, lease, or otherwise hold agricultural land for the purpose of engaging in agriculture in the state of Montana.

Section 5. Divestiture of land by corporate creditors — legatees. Nothing in this act prevents any creditor, legatee, beneficiary, or interstate successor subject to the provisions of this act from lawfully acquiring, pursuant to legal proceedings, agricultural land or other means of agricultural production or control of such means of agricultural production if they divest themselves of such property within 5 years of acquisition, provided that for cause shown, additional time may be obtained by petitioning the district court of the county in which the agricultural land is situated.

Section 6. Act prospective only. (1) A corporation covered by the restrictions of (section 4)\*, engaged in the practice of agriculture or owning or otherwise controlling agricultural land before (the effective date of this act)\*, may continue to do so to the extent which it had prior to the effective date hereof.

(2) A corporation not covered by the restrictions of (section 4)\*, owning or controlling agricultural land, which sells such agricultural land for nonagricultural development may continue to engage in the practice of agriculture.

Section 7. Enforcement and penalties. The county attorney of the respective county shall enforce the provisions of this act. A corporation in violation of the provisions of this act shall be fined not less than \$100 or more than \$2,000 for each day of violation.

Section 8. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

4. Amend page 5, section 3, line 14 through page 6, line 18.

Following: line 13, page 5

Strike: section 3 through section 5 in their entirety (63-25)

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. (48-45)

That HB 420 be amended as follows:

1. Amend page 1, section 1, line 19.

Following: "1 ½"

Strike: "2"

Insert: "1 ¾" (56-24)

And as amended, be passed for the day. (54-38)

That HB 424 be amended as follows:

1. Amend page 2, section 1.

Following: line 10

Insert: "(2) State lands may not be sold in tracts larger than one section."

Renumber: subsequent subsections (85-0)

And as amended, do not pass. (50-41)

That HB 451 do pass. (80-3)

That HB 560 be amended as follows:

1. Amend title, page 1, lines 8 and 9.

Following: line 7

Strike: "and to relieve the Rock Creek water users' association of responsibility for the cost of repairs"

2. Amend page 2, section 2, line 8.

Following: "beneficiaries"

Strike: ", except the Rock Creek water users' association," (82-4)

And be further amended:

3. Amend page 2, section 2, line 12.

Following: "Montana"

Insert: "In allocating and distributing costs for the repairs necessary, the Rock Creek water users shall be credited with the amount of over recovered payment for all of their previous repair expenditures." (66-21)

And be further amended:

4. Amend page 2, section 2, line 14.

Following: "program."

Insert: "To the extent federal financing is unavailable the department may issue water conservation revenue bonds or secure financing pursuant to Title 89, chapter 1."

5. Amend page 2, section 4, line 19.

Following: "developed"

Insert: "and funding has been secured" (78-5)

And as amended, be placed below HJR 25 on the Second Reading board.

That HB 678 be passed for the day.

That HJR 25 be passed for the day.

That HB 560 be placed below HB 151 on the Second Reading board.

That HB 592 do not pass. (72-16)

That HB 151 be amended as follows:

1. Amend page 2, section 1, line 10.

Following: "(statement)"

Insert: "\$"

Following: ".0002"

Strike: "cent" (82-0)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (90-0)

That HB 560 do not pass. (49-42)

Marks replaced Scully in the Chair.

That HB 352 be amended as follows:

1. Amend page 3, section 1, line 25.

Following: line 24

Strike: "6"

Insert: "9" (90-0)

And as amended, do pass. (86-8)

Scully resumed Chair.

That HB 371 do pass. (78-9)

That HB 378 do pass. (86-3)

That HB 396 do pass. (89-0)

That the committee rise and report. (Scully, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Objection by Lynch on 2/22/77 on adverse committee report on HB 687.  
Referred to Second Reading.



BILLS (Quilici, Chairman): 2/22/77  
 Correctly engrossed - HB 437.  
 Correctly printed - HB 533.

STATE ADMINISTRATION (Brand, Chairman): 2/22/77  
 HB 788, introduced bill, be amended as follows:

1. Amend title, line 10.  
 Following: "1947"  
 Insert: ", and providing an effective date"
2. Amend page 1, section 1, line 19.  
 Following: "agencies"  
 Strike: ",  
 Insert: ",
3. Amend page 1, section 1, lines 20 through 24.  
 Following: line 19  
 Strike: lines 20 through 24 in their entirety  
 Insert: "The architect or engineer would be chosen by the selection committee comprised of the following members:"
4. Amend page 2, section 1, subsection (1)(b), line 2.  
 Following: "senate"  
 Insert: ", appointed by the speaker of the house and the president of the senate"
5. Amend page 2, section 1, subsection (2), line 4.  
 Following: "done"  
 Insert: ", selected by the respective institution or agency"
6. Amend page 2, section 1, subsection (3), line 5.  
 Following: "council"  
 Insert: ", selected by the directors of the Montana arts council"
7. Amend page 2, section 2, subsection (2), line 16.  
 Following: "Montana"  
 Insert: "for each project listed in the long range building committee report"
8. Amend page 2.  
 Following: line 16  
 Insert: "(3) After receipt of proposals or interest from architects and engineers, the board, by interview or other methods, shall, if they exceed 5 in number, cut the list to 5 firms and from this list select, after interview, the firm of their choice.

Section 3. Effective date. This act is effective upon passage and approval."

And as amended, do pass. Report adopted.

HB 791, introduced bill, be amended as follows:

1. Amend page 5, section 4, subsection (1), line 2.  
 Following: "The (commission) department"  
 Insert: ", with the consent of the commission,"
2. Amend page 5, section 4, subsection (1), line 6.  
 Following: "department may"  
 Strike: "acquire,"
3. Amend page 5, section 4, subsection (2), line 21.

Following: "department"

Insert: ", with the consent of the commission,"

4. Amend page 7, section 4, subsection (3), line 5.

Following: "department"

Insert: ", with the consent of the commission,"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HJR 58, introduced bill, be amended as follows:

1. Amend page 2, subsection (1), lines 1 through 3.

Following: "(1)"

Strike: lines 1 through 3 in their entirety

Insert: "that it is the policy of state government to promote the use of private resources wherever it is found that private enterprise can provide the same service and add to the taxable base of the state;"

2. Amend page 2, subsection (2), lines 4 through 7.

Following: "(2)"

Strike: lines 4 through 7 in their entirety

Insert: "that all state executive departments shall reexamine their departments and cooperate with the economic advisors to the governor to determine those services that should be vested with the private sector in particularly those areas where the state tends to compete with the private sector;"

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman):

HB 77, introduced bill, be amended as follows:

2/21/77

1. Amend page 2, section 2, subsection (b), line 18.

Following: "(inmates,)"

Insert: "youths or"

2. Amend page 9, section 6, lines 13 through 23.

Following: line 12

Strike: section 6 in its entirety

Renumber: subsequent sections

3. Amend page 10, section 8, line 12.

Following: "the"

Strike: "administrative code commissioner"

Insert: "secretary of state"

4. Amend page 11, section 9, lines 4 through 6.

Following: line 3

Strike: section 9 in its entirety

Renumber: subsequent sections

5. Amend page 13, section 10, subsection (a), line 4.

Following: line 3

Strike: "administrative code commissioner"

Insert: "secretary of state"

6. Amend page 15, section 10, subsection (3), line 7.

Following: "section"

Insert: "and within 6 months of the publishing of notice thereof"

7. Amend page 17, section 10, subsection ((2)), line 5.

Following: line 4

Strike: "administrative code commissioner"  
Insert: "secretary of state"

8. Amend page 17, section 12, subsection (2), line 16.  
Following: "(state,)"

Strike: "administrative code commissioner"  
Insert: "secretary of state"

9. Amend page 17, section 12.

Following: "line 24"

Insert: "(3) The secretary of state may prescribe a format, style, and arrangement for rules which are filed pursuant to this (act) part and may refuse to accept the filing of any rule that is not in (substantial) compliance therewith. He shall keep and maintain a permanent register of all rules filed (including superseded and repealed rules), which shall be open to public inspection, and shall provide copies of any rule upon request of any person or agency. Unless otherwise provided by statute, the secretary of state may require the payment of the cost of providing such copies."

10. Amend page 18, section 13, subsection (1), lines 13 and 14.

Following: "(state)"

Strike: "administrative code commissioner"  
Insert: "secretary of state"

11. Amend page 18, section 13, subsection (1), line 23.

Following: "(state)"

Strike: "administrative code commissioner"  
Insert: "secretary of state"

12. Amend page 19, section 13, subsection (2), lines 5 and 6.

Following: "(state)"

Strike: "administrative code committee"  
Insert: "secretary of state"

13. Amend page 20, section 13, subsection (b), line 1.

Following: line 25, page 19

Strike: "administrative code commissioner"  
Insert: "secretary of state"

14. Amend page 20, section 13, subsection (d), line 20.

Following: "(state)"

Strike: "administrative code commissioner"  
Insert: "secretary of state"

15. Amend page 20, section 13, subsection (3), line 25 and line 1 on page 21.

Following: "(state)"

Strike: "administrative code commissioner"  
Insert: "secretary of state"

16. Amend page 21, section 13, subsection (4), line 15.

Following: "(state)"

Strike: "administrative code commissioner"  
Insert: "secretary of state"

17. Amend page 21, section 13, subsection (5), lines 19 and 20.

Following: "(state)"

Strike: "administrative code commissioner"  
Insert: "secretary of state"

18. Amend page 22, section 13, subsection (6), lines 23 and 24.

Following: "(state)"

Strike: "administrative code commissioner"

Insert: "secretary of state"

19. Amend page 23, section 13, subsection (6), lines 7 and 8.

Following: "(state)"

Strike: "administrative code commissioner"

Insert: "secretary of state"

20. Amend page 23, section 13, subsection (7), lines 10 and 11.

Following: "(state)"

Strike: "administrative code commissioner"

Insert: "secretary of state"

21. Amend page 23, section 13, subsection (8), lines 15 and 16.

Following: "(state)"

Strike: "administrative code commissioner"

Insert: "secretary of state"

22. Amend page 23, section 13, subsection (8).

Following: line 23

Insert: "(9) The secretary of state shall publish all notices, rules, and interpretations filed with him, at least once a month or as directed by the administrative code committee, in a publication called the Montana administrative code register. He shall send the register without charge to each person listed in 82-4206(5) and to each member of the legislature requesting the same. He shall send the register to any other person who pays a subscription fee which he shall fix in consultation with the administrative code committee.

(10) The secretary of state shall deposit all fees he collects in the general fund.

(11) The secretary of state may charge agencies a filing fee for all material to be published in the code or register based on an estimated cost of printing, which he shall fix in consultation with the administrative code committee."

23. Amend page 26, section 18, subsection (1), line 25.

Following: "limitation,"

Insert: "transfer,"

24. Amend page 36, section 25, subsection (a), line 3.

Following: "public,"

Insert: "or"

25. Amend page 36, section 25, subsection (b), line 5.

Following: "rule"

Strike: ".,"

Insert: ".,"

26. Amend page 36, section 25, subsection (b), line 6.

Following: line 5

Strike: subsection (c) in its entirety

27. Amend page 42, section 30, line 1.

Following: line 25, page 41

Strike: "administrative code commissioner"

Insert: "secretary of state"

28. Amend page 42, section 30, line 3.

Following: "The"

Strike: "administrative code commissioner"

Insert: "secretary of state"



(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 334, introduced bill, be amended as follows:

2/22/77

1. Amend page 2.

Following: line 7

Insert: "Section 4. Permissive delivery of statement. A copy of the statement setting forth the nature and amount of damages being sought may be delivered to the defendant at the time of service of the summons and complaint, but may not be filed for 20 days after the complaint is filed."

And as amended, do pass. Report adopted.

HB 466, do not pass.

2/22/77

HB 672, introduced bill, be amended as follows:

2/21/77

1. Amend title, line 7.

Following: line 6

Strike: "three"

Insert: "certain"

Following: "and"

Insert: "certain"

2. Amend page 4, section 1, subsection (5), line 8.

Following: "(1)(d)"

Insert: "upon a second conviction, one of which is an offense against the person listed in chapter 5 of Title 94,"

3. Amend page 5, section 2, subsection (c), line 14.

Following: line 14

Insert: "one of which is an offense against the person listed in chapter 5 of Title 94 and"

4. Amend page 5, section 2, subsection (d), line 19.

Following: "who,"

Insert: "under sentence for a term of imprisonment in excess of 1 year,"

5. Amend page 5, section 2, subsection (d), line 22.

Following: "imposed"

Insert: ", if the offense resulting in the sentence paroled from or the offense committed while on parole is one against the person listed in chapter 5 of Title 94"

And as amended, do pass. Report adopted.

HB 705, do not pass.

2/22/77

HB 763, introduced bill, be amended as follows:

2/22/77

1. Amend page 5, section 5, lines 13 and 14.

Following: "Notice"

Strike: "shall be given the defendant as required in 93-4304.1(3)(a)"

Insert: "of the right to a post-seizure hearing shall be served personally on the defendant, or if the defendant cannot be found for personal service, notice shall be posted on the property and in three public places in the county where the property is located"

And as amended, do pass. Report adopted.

- HB 774, do not pass. 2/22/77
- HB 777, do not pass. 2/22/77
- HB 778, do not pass. 2/22/77
- HB 797, do pass. Report adopted. 2/22/77
- HJR 63, introduced bill, be amended as follows: 2/22/77
1. Amend page 2, line 25.  
Following: "draft a"  
Strike: "master"
  2. Amend page 3, subsection (1), lines 4 and 5.  
Following: "a"  
Strike: "basis for the master plan for"  
Insert: "direction for all segments of"
  3. Amend page 3, subsection (2), line 6.  
Following: "(2)"  
Insert: "in consultation with the Board of Crime Control,"  
Following: "design a"  
Strike: "blueprint"  
Insert: "schedule"
  4. Amend page 3, subsection (2), line 10.  
Following: "the"  
Insert: "commission's"  
Following: line 10  
Insert: "(3) direct the Montana Board of Crime Control to utilize its resources and staff to pursue implementation of those standards and goals recommended by the Montana Justice Project which are approved by the commission, and work in liaison with the board in developing legislation toward that end;"  
Renummer: subsequent subsections
  5. Amend page 3, subsection (3), line 11.  
Following: "its"  
Strike: "master plan and"  
Insert: "proposed schedule and a summary of its"
  6. Amend page 3, subsection (5), lines 16 and 17.  
Following: "to"  
Strike: "implement the master plan"  
Insert: "achieve a balanced and integrated system"
  7. Amend page 4, subsection (b), lines 3 through 5.  
Following: "representative of the"  
Strike: lines 3 through 5 in their entirety  
Insert: "attorney general;"
  8. Amend page 4, line 18.  
Following: "to the"  
Insert: "commission's"
  9. Amend page 5, subsection (8), line 4.  
Following: "enforcement"  
Strike: " "  
Insert: ","  
Following: line 4  
Insert: "(9) community training, employment, and treatment provisions."

10. Amend page 5, line 8.

Following: "groups"

Insert: ", in addition to the Board of Crime Control"

11. Amend page 5, subsection (1), line 9.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

12. Amend page 5, subsection (6), line 15.

Following: "Justice;"

Strike: "and"

13. Amend page 5, subsection (7), line 16.

Following: "Pardons"

Strike: ","

Insert: ";

Following: line 16

Insert: "(7) Associations and agencies involved in criminal justice activities and research; and

(8) Clients of the Montana criminal justice system."

14. Amend page 5, lines 19 through 21.

Following: "to"

Strike: "employ counsel or staff,"

Following: "services"

Strike: "within general limits approved by the Board of Crime Control,"

And as amended, do pass. Report adopted.

On motion by Robbins, and in accordance with the 24-hour rule, the adverse committee report on HB 128 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 82

Noes: Ellison, Lund, McLane, Moore, Roth, Smith, Vinger, Wood.

Total 8

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Burnett, Davis, Day, Ellerd, Gerke, Gould, Scully, Stobie.

Total 8

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 390 was adopted by the following vote:

Ayes: Ageson, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Ellis, Ernst, Eudaily, Fabrega, Fedra, Frates, Gilligan, E. Gunderson, Hand, Hansen,

Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Tower, Tropila, Turner, Underdal, Williams, Wood, Wyrick.

Total 71

Noes: R. Baeth, Bradley, Courtney, Dussault, Ellison, Estenson, Fagg, J. Gunderson, Halvorson, Holmes, Kimble, McLane, Marks, Meloy, Mular, Uhde, Vincent, Waldron, Mr. Speaker.

Total 19

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Bardanouve, Day, Ellerd, Gerke, Gould, Stobie, Teague, Vinger.

Total 8

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 631 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Estenson, Eudaily, Fedra, Frates, Halvorson, Hand, Harper, Harrington, Hirsch, Hurwitz, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Vinger, Williams, Mr. Speaker.

Total 66

Noes: Aageson, R. Baeth, Bradley, Brand, Dussault, Fabrega, Fagg, Gilligan, E. Gunderson, J. Gunderson, Hansen, Holmes, Huennekens, Johnston, Kimble, Manuel, Meloy, Meyer, Roth, Sivertsen, Underdal, Vincent, Waldron, Wood, Wyrick.

Total 25

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Day, Ellerd, Gerke, Gould, Jensen, Scully, Stobie.

Total 7

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 731 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Eudaily, Fagg, Fedra, Frates, Gilligan, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Lien, Lory, Lund, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Teague, Tower, Turner, Underdal, Vinger, Williams, Wyrick, Mr. Speaker.

Total 62

Noes: Barrett, Bradley, Brand, Cooney, Courtney, Dussault, Estenson, Fabrega, E. Gunderson, J. Gunderson, Harper, Holmes, Huennekens, Kimble, Kvaalen, Lynch, McLane, Manuel, Marks, Meloy, Meyer, Moore, Palmer, Ramirez, Ryan, South, Tropila, Uhde, Vincent, Waldron.



Total 30

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Day, Ellerd, Gerke, Gould, Stobie, Wood.

Total 6

On motion by Robbins, and in accordance with the 24-hour rule, the adverse committee report on HB 767 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Cox, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Roth, Ryan, Seifert, Severson, Sheldon, Sivertsen, Smith, Staigmilller, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick.

Total 63

Noes: Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dussault, Estenson, Fabrega, Frates, Gilligan, E. Gunderson, J. Gunderson, Harper, Holmes, Huennekens, Kennerly, Kimble, Lynch, Marks, Meloy, Palmer, Ramirez, Robbins, Scully, South, Teague, Vincent, Waldron, Mr. Speaker.

Total 30

Excused: Kessler, Menahan.

Total 2

Absent or not voting: Day, Ellerd, Gerke, Gould, Stobie.

Total 5

### MOTIONS

Meloy moved that HB 728 and HB 378 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Marks moved that the House reconsider its action in passing HB 534 on Second Reading. Moore moved the previous question. Motion carried. Thereupon Marks' motion failed. (49-49)

Meloy moved that HJR 25 be rereferred from Second Reading to the Committee on Rules. Motion carried.

Meloy moved that HB 297 be rereferred from the 48th Legislative Day calendar to the 45th Legislative Day calendar. Motion carried.

Meloy moved that HB 534 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Brand moved that HB 534 be rereferred from Committee on Appropriations to the Committee on Rules. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., February 23, 1977.

Motion carried.

House adjourned at 7:45 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FORTY-FIFTH LEGISLATIVE DAY

Helena, Montana  
February 23, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Kennerly, Menahan, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Correctly printed - HB 213, HB 748.	2/22/77
Correctly printed - HB 146, HB 156, HB 293, HB 343, HB 370, HB 553, HB 426, HB 482, HB 487, HB 612, HB 707, HB 768, HB 793, HB 794, HB 797, HB 804, HJR 20, HJR 35, HJR 67, HJR 75, HJR 76, HJR 82, HB 122 amendments only.	2/23/77
Considered correctly engrossed - HB 148.	2/22/77
Correctly engrossed - HB 577.	2/23/77
Correctly engrossed - HB 229.	2/22/77
Correctly enrolled - HB 163.	2/23/77
Considered correctly engrossed - HB 63, HB 371, HB 396, HB 587, HB 654, HB 694, HJR 41.	2/23/77

#### JOINT SELECT COMMITTEE ON EMPLOYEE COMPENSATION

(South, Chairman): 2/23/77

HB 183, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 23 through line 1 on page 2.

Following: "dependents"

Strike: ", and the respective administrative and governing bodies shall pay for such insurance (ten dollars (\$10)) \$40 per month for each officer, employee, and legislator, and provided that for"

Insert: ". For"

2. Amend page 2, section 1, line 4 through line 6.

Following: line 3

Strike: "may be an amount equal to twelve (12) times the monthly rate, but may not exceed (one hundred twenty dollars (\$120)) \$480 per year. However, for"

Insert: "shall be at least \$240 per year for the fiscal year ending June 30, 1978, and \$360 per year for each fiscal year thereafter. For"

3. Amend page 2, section 1, line 9.

Following: "less than"

Strike: "the amount specified in this section"

Insert: "\$10 per month"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

#### SELECT COMMITTEE ON EMPLOYEE COMPENSATION

(South, Chairman): 2/22/77

HJR 28, introduced bill, be amended to read as follows:

1. Amend page 2, line 3 through line 10 in their entirety

Following: "directed to"

Strike: line 3 through line 10 in their entirety.

Insert: "take cognizance of the number of overtime staff hours worked in establishing agency personnel and compensation policies."

And as amended, do pass. Report adopted.

Objection raised by Day on 2/23/77 on adverse committee report on HB 640. Referred to Second Reading.

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/22/77

Senate Bill No. 173, introduced by Jergeson, Manley, et al

Senate Bill No. 242, introduced by Manley

Senate Bill No. 284, introduced by Thiessen, Roskie, et al

Senate Bill No. 300, introduced by Watt, Murray

Senate Bill No. 301, introduced by Rasmussen, Galt, et al

Senate Bill No. 334, introduced by Blaylock

Senate Bill No. 414, introduced by Roberts

Senate Bill No. 415, introduced by Roberts

Senate Bill No. 437, introduced by Dunkle

Resolutions passed by the Senate and transmitted  
to the House for concurrence:

2/22/77

Senate Joint Resolution No. 20, introduced by Roberts, Manley

Senate Joint Resolution No. 32, introduced by Boylan, Lensink, Galt,  
et al

Senate Joint Resolution No. 33, introduced by Boylan, Lensink, Galt,  
et al

Bills concurred in by the Senate  
and returned to the House:

2/22/77

House Bill No. 241, introduced by Dassinger (by request)

House Bill No. 258, introduced by Kanduch, Johnston, Quilici (by  
request)

House Bill No. 452, introduced by Lien, Hirsch, Manuel

Resolution concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

2/22/77

House Joint Resolution No. 26, introduced by Day, Williams, Severson,  
et al

### MOTIONS

Teague moved that HB 527 be rereferred from Third Reading to Second Reading. Motion failed.



Meloy moved that HB 737 be passed to the 49th Legislative Day. Motion carried.

Meloy moved that the following bills be passed for the day: HB 307, HB 709, and HB 736. Motion carried.

Meloy moved that HB 297 be placed below HB 213 on the Second Reading board. Motion carried.

Meloy moved that HB 297 and HB 213 be passed for the day. Motion carried.

Brand moved that HB 534 be rereferred from the Committee on Rules to Third Reading. Motion failed.

Dussault moved that HB 532 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

### REPORTS OF STANDING COMMITTEES

Examined by Sponsor and found to be correct, 2/23/77 - HB 163.

Will be signed by the Speaker on adjournment, 2/23/77 - HB 163.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman): 2/22/77  
HB 373, introduced copy, be amended as follows:

1. Amend the title, line 5.

Following: "registration;"

Insert: "clarifying other provisions related to aircraft registration;  
correcting obsolete references;"

Following: "1-325"

Insert: ", 1-326,"

2. Amend page 1, section 1, line 25.

Following: "transportation"

Strike: ", "

Insert: "; or"

3. Amend page 1, section 1.

Following: line 25

Insert: "(d) dismantled or otherwise nonflyable aircraft."

4. Amend page 2.

Following: line 13

Insert: "(3) Aircraft not registered in the state, but entering the state to engage in commercial operations, shall be registered prior to commencing operation."

Section 2. Section 1-326, R.C.M. 1947, is amended to read as follows:

'1-326. Penalty for late registration, evasion, or false registration statement. (1) When an aircraft required to be registered under the provisions of this act is not registered on or before (February) March 1 of the current calendar year, a penalty fee of one hundred dollars (\$100) shall be added to the registration fee and collected. Registration of an aircraft in the name of the applicant for the year immediately preceding the year for which application for registration is made shall be prima facie evidence that the aircraft has been based in this state during the year for which application for registration is made.

(2) An application for registration shall be accompanied by a copy of the receipt for, or statement of, personal property tax paid,

(issued) signed by the treasurer of the county where the aircraft is registered or a statement of lien assignment against real property signed by the county assessor where the aircraft is registered. A person who pays personal property tax on his aircraft to any jurisdiction other than the county where the aircraft is required to be registered is liable for the tax in that county without credit for such other taxes paid. In addition to this civil liability, a person who attempts to establish the situs of his aircraft in any jurisdiction other than the county where the aircraft is required to be registered with intent to avoid payment of taxes to that county commits the offense of false swearing as defined in section 94-7-203.

(3) A person who operates an aircraft required to be registered in the state without having (in) displayed upon such aircraft a certificate of registration issued by the department of (intergovernmental relations) community affairs for that aircraft, commits a misdemeanor."

Renumber: subsequent section

5. Amend page 2, section 2, line 20.

Strike: "treasurer"

Insert: "assessor"

6. Amend page 2, section 2, line 22.

Strike: "for proration of motor vehicle taxes"

Insert: "in 84-6011"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 650, introduced copy, be amended as follows:

1. Amend page 4, section 1, line 14.

Following: "lot"

Strike: "for the display of motor vehicles"

Following: "and"

Strike: "an"

2. Amend page 4, section 1, line 15.

Following: line 14

Strike: "illuminated sign"

Insert: "a permanent sign readable at a minimum distance of 150 feet and"

3. Amend page 4, section 1, line 23.

Following: "excess of"

Strike: "18"

Insert: "12"

4. Amend page 5, section 1, line 2.

Following: "of"

Strike: "5 years"

Insert: "1 year"

5. Amend page 5, section 1, line 4.

Following: "sum of"

Strike: "\$500"

Insert: "\$150"

6. Amend page 5, section 1, subsection (c).

Following: line 5

Insert: "(d) The provisions of subsection (1)(c) above, do not apply

to an applicant who is licensed as a motor vehicle wrecking facility under the provisions of Title 69, chapter 68, R.C.M. 1947."

7. Amend page 5, section 1, lines 6 and 7.

Following: "a"

Strike: "private residence,"

Following: "tent"

Strike: ",",

8. Amend page 7, section 1, line 22.

Following: "and"

Insert: "after payment of fees"

9. Amend page 7, section 1, lines 24 and 25.

Following: "more as"

Strike: "the fee the dealer pays entitles the dealer to, which"

Insert: "required according to need, which need shall be justified by the dealer with the initial application for license and each renewal. Assigned"

10. Amend page 10, section 1, lines 4 through 7.

Following: "vehicles."

Strike: "Dealer plates may be used and displayed only on motor vehicles that are principally situated in the county in which the dealer has his principal place of business."

11. Amend page 10, section 1, line 10.

Following: "dealer."

Insert: "Each dealer is accountable for each plate issued and shall certify quarterly to the registrar of motor vehicles the disposition of each dealer plate assigned to the dealer, including the name, address, and occupation of the person primarily using each plate."

12. Amend page 10, section 1, lines 15 and 16.

Following: "(above)"

Strike: "on a vehicle other than one authorized by this section,"

Insert: "in a manner other than the one herein authorized"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 656, introduced copy, be amended as follows:

1. Amend page 2, section 2, line 17.

Following: "(1975)."

Insert: "Upon a change of a vehicle's registration period, taxes and fees must be paid for a minimum period of 1 year. When the change is to a later registration period, taxes and fees shall be prorated and paid based on the same tax year as the original registration period. When the change is to an earlier registration period, the taxes and fees shall be paid for 1 year and the vehicle shall then be registered with taxes and fees paid for a full year in the new registration period in the following year."

(Material in parentheses denotes cancelled type.)

And as amended, without recommendation. Report adopted.

HJR 10, introduced copy, be amended as follows:

1. Amend title, line 6.

Following: "highways to"

Strike: "give priority to"

Insert: "recognize the importance of"

2. Amend page 2, lines 15 and 16.

Following: "requested to"

Strike: "give priority to"

Insert: "recognize the importance of"

3. Amend page 2, lines 16 and 17.

Following: "highway"

Strike: "with divided driving lanes"

4. Amend page 2.

Following: line 19

Insert: "Be it further resolved, that the legislature desires to call attention to the problem that exists in this area in order that the problem may be appropriately addressed and prioritized, but the overall program in the financial district should not be unduly interrupted."

And as amended, do pass. Report adopted.

HJR 60, introduced copy, be amended as follows:

1. Amend title, line 6.

Following: "department of"

Strike: "highways"

Insert: "administration"

2. Amend title, line 6.

Following: "efficiency a"

Strike: "primary"

3. Amend title, lines 7 and 8.

Following: "state"

Strike: "motor pool"

4. Amend page 1, line 17.

Following: "whereas,"

Strike: "the Department of Highways and"

5. Amend page 1, subsection 1, line 23.

Following: "Department of"

Strike: "Highways"

Insert: "Administration"

6. Amend page 1, subsection 1, line 24.

Following: "efficiency"

Strike: "the primary"

Insert: "a"

And as amended, do pass. Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 86 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch,



Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 86

Noes: Barrett, Davis, Kvaalen, Moore, Seifert, Smith, Stobie, Vinger, Wood.

Total 9

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: Fagg, Sivertsen.

Total 2

House Bill No. 148 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: None.

Total 0

House Bill No. 229 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Brand, Burnett, Smith, Stobie.

Total 4

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: Davis, Ellison.

Total 2

House Bill No. 230 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennkens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.

Total 92

Noes: Estenson, Harper, Metcalf, Waldron, Wyrick.

Total 5

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: None.

Total 0

House Bill No. 247 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennkens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Hansen, Jensen, Keyser, Roth, Smith, Vinger.

Total 6

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: Bradley.

Total 1

House Bill No. 273 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper,

Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Palmer.

Total 1

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: None.

Total 0

House Bill No. 495 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: Sivertsen, South, Wood.

Total 3

House Bill No. 527 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Metcalf, Nathe, O'Keefe, Palmer, Porter, Quilici, Ramirez, Roth, Severson, Shelden, Sivertsen, South, Underdal, Vincent, Vinger, Waldron, Williams, Wood.

Total 58

Noes: R. Baeth, Barrett, Brand, Colburn, Cooney, Courtney, Cox, Estenson, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Jensen, Johnston, Kenny, Manuel, Meyer, Moore, Mular, O'Connell, Pistoria, Robbins, Ryan, Scully, Seifert, Smith, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Wyrick, Mr. Speaker.

Total 39



Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: None.

Total 0

### MOTIONS

Meloy moved that HB 678 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to HB 185 be concurred in. (80-11)

That HB 411 be amended as follows:

1. Amend page 3, section 1, line 3.

Following: "chapter 12"

Strike: ", or Title 38, chapter 13"

2. Amend page 3, section 1, line 6.

Following: "prior to"

Strike: "trail"

Insert: "trial" (82-0)

And as amended, do pass. (83-0)

That HB 420 be amended as follows:

1. Amend the amendment.

Strike: the amendment in its entirety (46-30)

And as amended, do pass. (75-8)

That HB 447 do pass. (85-3)

That HB 455 do pass. (87-0)

That HB 480 be amended as follows:

1. Amend page 7, section 4, line 9.

Following: "(shall)"

Strike: "may"

Insert: "shall" (52-31)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (67-24)

That HB 497 do pass. (84-0)

Fagg replaced Gerke in the Chair.

That HB 544 do pass. (81-6)



Gerke resumed Chair.

That HB 561 do not pass. (67-28)

That HB 658 do not pass. (57-36)

That HB 668 be placed below HB 758 on Second Reading board.

That HB 697 do not pass. (66-26)

That HB 726 do pass. (60-19)

That HB 741 do pass. (84-0)

That HB 742 do pass. (76-6)

That HB 758 do pass. (85-0)

That HB 668 be amended as follows:

1. Amend page 2, section 1, line 7.

Following: "exceeding"

Strike: "one-fourth"

Insert: "1"

2. Amend page 2, section 1, lines 10 through 15.

Following: "value."

Strike: lines 10 through 15 in its entirety (79-0)

And as amended, do pass. (71-10)

That HB 759 do pass. (84-4)

That the committee rise and report and beg leave to sit again. (Gerke, Chairman)

Bradley moved that HB 658 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 2/23/77

Considered correctly engrossed - HB 378, HB 451, HB 523, HB 565, HB 669, HB 764, HJR 30.

Correctly printed - HB 334, HB 346, HB 438, HB 745, HJR 61.

STATE ADMINISTRATION (Brand, Chairman): 2/23/77

HB 407, introduced bill, be amended as follows:

1. Amend page 6, section 2, lines 13 through 25; page 7, lines 1 through 25; and page 8, line 1.

Following: line 12

Strike: section 2 in its entirety

Insert: "Section 2. The additional funds established by (section 1)\* of this act and set forth as subsections (10) through (15) of section 79-410, are effective only through June 30, 1981, at which time they shall cease to exist as a part of the treasury fund structure."

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HJR 78, do pass. Report adopted.

HJR 85, do pass. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY

(Holmes, Vice-Chairman):

2/23/77

HB 114, do not pass.

HB 360, do pass. Report adopted.

HB 385, do not pass.

HB 622, do pass. Report adopted.

HB 663, introduced bill, be amended as follows:

1. Amend page 3, section 3, line 10.

Following: "meet"

Insert: "any applicable licensing requirements fixed by state law or state agency rule and must also comply with the"

And as amended, do pass. Report adopted.

HB 682, do not pass.

HB 724, do pass. Report adopted.

HB 805, do pass. Report adopted.

HB 52, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 12.

Following: "of"

Strike: "\$2"

Insert: "\$1"

And as amended, do pass. Report adopted.

HJR 73, do pass. Report adopted.

JUDICIARY (Scully, Chairman):

2/23/77

HB 200, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 23.

Following: line 23

Insert: "(4) For purposes of this act, professional includes the following, duly licensed or otherwise legally authorized within the state of Montana to render their professional services:

- (a) physicians;
- (b) osteopaths;
- (c) registered nurses;
- (d) licensed practical nurses;
- (e) dentists;
- (f) optometrists;
- (g) podiatrists;
- (h) chiropractors;
- (i) attorneys;
- (j) certified public accountants;
- (k) public accountants;
- (l) architects;
- (m) veterinarians;
- (n) pharmacists; and
- (o) professional engineers."

And as amended, do pass. Report adopted.

HB 201, do not pass.

HB 316, do not pass.

HB 374, introduced bill, be amended as follows:

1. Amend page 2, section 3, line 20.

Following: "patient"

Insert: "or client"

2. Amend page 3, section 3, subsection (1), line 3.

Following: "be."

Insert: "The agreement may not be offered to the patient or client by the health care provider or professional before the completion of the initial day's treatment or service but may be made effective from the time of the initial treatment or service."

3. Amend page 3, section 3, subsection (2), line 4.

Following: "(2)"

Insert: "The agreement to arbitrate shall provide that its execution is not a prerequisite to any professional services."

4. Amend page 3, section 3, subsection (2), line 7.

Following: "within"

Strike: "60"

Insert: "90"

Following: "execution"

Insert: ". Revocation shall be made"

5. Amend page 3, section 3, subsection (2), lines 8 through 12.

Following: "writing."

Strike: lines 8 through 12 in their entirety

6. Amend page 3, section 3, subsection (3), line 14.

Following: "its"

Strike: "execution"

Insert: "effective date"

7. Amend page 4, section 3, subsection (5), line 9.

Following: "notice:"

Insert: "you are not required to sign this contract to receive professional services."

8. Amend page 4, section 3, subsection (5), line 14.

Following: "within"

Strike: "60"

Insert: "90"

9. Amend page 4, section 3, subsection (6), line 18.

Following: "section"

Insert: ", but the agreement is void if services are conditioned upon entering into an agreement covered by this act"

10. Amend page 4, section 4, subsection (1), line 23.

Following: "may"

Insert: ", if offered,"

11. Amend page 4, section 4, subsection (1), line 25.

Following: "hospital."

Insert: "The agreement may not be offered to the patient or client by the hospital until the day of dismissal from the initial hospitalization but may be made effective from the time of admission."

12. Amend page 5, section 4, subsection (2), line 1.

Following: "(2)"

Insert: "The agreement to arbitrate shall provide that its execution is not a prerequisite to health care or treatment."

13. Amend page 5, section 4, subsection (2), line 1.

Following: "agreement"

Strike: "to arbitrate"

14. Amend page 5, section 4, subsection (2), line 4.

Following: "within"

Strike: "60"

Insert: "90"

Following: "hospital"

Insert: ". Revocation shall be made"

15. Amend page 5, section 4, subsection (2), lines 5 through 7.

Following: "writing."

Strike: lines 5 through 7 in their entirety

16. Amend page 5, section 4, subsection (4), line 23.

Following: "notice"

Insert: "you are not required to sign this contract to receive health care or treatment."

17. Amend page 6, section 4, subsection (4), line 3.

Following: "within"

Strike: "60"

Insert: "90"

18. Amend page 6, section 4, subsection (5), line 7.

Following: "section"

Insert: ", but the agreement is void if services are conditioned upon entering into an agreement covered by this act"

19. Amend page 7, section 6, subsection (1), lines 18 through 24.

Following: line 17

Strike: lines 18 through 24 in their entirety

Insert: "administrative costs on account of a claimant shall be provided by the respondent parties."

20. Amend page 8, section 6, subsection (3), lines 16 and 17.

Following: "each"

Strike: lines 16 and 17 in their entirety

Insert: "party a list of candidates in each of the three categories together with a brief"

21. Amend page 10, section 8, subsection (2), lines 19 through 23.

Following: line 18

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

22. Amend page 16, section 14, subsection (2), lines 20 through 23.

Following: "fee,"

Strike: lines 20 through 23 in their entirety

Insert: "shall be assessed against the respondent parties in such proportion as may be determined by the arbitrators in the arbitration award."

23. Amend page 18, section 16, subsection (5), lines 4 and 5.

Following: line 3

Strike: lines 4 and 5 in their entirety

Renumber: subsequent subsection

24. Amend page 19, section 20, lines 1 through 3.

Following: "filing."

Strike: "The agencies shall receive a copy of the decision of the panel within 10 days of transmission of the decision of the parties."

Insert: "The association shall transmit a copy of the decision of the panel to the commissioner of insurance within 30 days after the decision is rendered."

25. Amend page 20, section 23, subsections (1) and (2), lines 2 through 16.



Following: line 1

Strike: section 23 in its entirety

Renumber: subsequent sections

26. Amend page 20, section 24, line 19.

Following: "provided."

Insert: "Should any court of this state or federal court find that treatment or services were so refused, the person refused treatment or services shall recover damages, if any, costs of the action, and reasonable attorney's fees."

27. Amend page 22, section 27, subsection (4), line 25 through line 1 on page 23.

Following: "(4)"

Strike: subsection (4) in its entirety

Insert: "For the privilege of doing business in this state every insurer offering professional liability insurance shall remit to the arbitration administration fund such amounts as designated by the insurance commissioner pursuant to this section. The commissioner shall allocate a projected cost among professional liability insurers on a pro rata basis according to premium volume and such other relevant factors as the commissioner may designate by rule."

28. Amend page 23, section 30, subsections (1), (2), and (3), line 14 through line 13 on page 24.

Following: line 13

Strike: section 30 in its entirety

29. Amend page 24, section 31, subsections (1) and (2), line 14 through line 4 on page 25.

Following: line 13

Strike: section 31 in its entirety

Renumber: subsequent section

And as amended, do pass. Report adopted.

HB 457, do pass. Report adopted.

HB 478, introduced copy, be amended as follows:

1. Amend page 1, section 1, subsection (1), line 16.

Following: "select"

Insert: "at least"

2. Amend page 1, section 1, subsection (2), lines 18 and 19.

Following: "available"

Strike: "from the federal government"

3. Amend page 1, section 1.

Following: line 20

Insert: "(3) Supervisors of conservation districts shall have the power to designate sites for future construction of reservoirs. The supervisors shall designate such site by filing a legal description thereof in the office of the clerk and recorder of the county in which such site is located or the counties in which said site is located if it extends across the boundaries of two or more counties. Upon filing of such designation, the state of Montana, its agencies or political subdivisions shall not acquire the properties so designated for public purposes other than reservoir sites and shall not construct any public facilities except reservoirs. Supervisors may cancel site designation by filing such notice with the clerk and recorder of the county or counties affected."

4. Amend page 1, section 2, line 22.

Following: "seek"

Strike: "federal"

5. Amend page 1, section 2, line 24.

Following: line 23

Strike: "bureau of reclamation"

Insert: "renewable resource fund"

Following: "department"

Insert: "of natural resources"

6. Amend page 2, section 3, line 6.

Following: "uses"

Strike: "within the district"

7. Amend page 2, section 4, line 13.

Following: "to"

Strike: "a"

Insert: "an agreed"

Following: "use"

Insert: "within the state"

8. Amend page 2, section 4, subsection (2), lines 15 through 21.

Following: "basis"

Strike: lines 15 through 21 in their entirety

Insert: "of priorities established by each local district, in accordance with need and beneficial use. Priorities shall be established in accordance with 76-109."

9. Amend page 3.

Following: line 25 on page 2

Insert: "Section 5. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

And as amended, do pass. Report adopted.

HB 809, do pass. Report adopted.

HB 810, introduced copy, be amended as follows:

1. Amend page 1, subsection (2), line 19.

Following: "purchase"

Insert: "or by condemnation under 93-9902"

And as amended, do pass. Report adopted.

HJR 22, introduced copy, be amended as follows:

1. Amend title, line 9.

Following: "Wyoming"

Insert: "and the Crow and Northern Cheyenne Indians"

2. Amend page 2, line 2.

Following: "Compact"

Insert: "and between the Crow and Northern Cheyenne Indians"

3. Amend page 2, subsection (1), line 8.

Following: "Wyoming"

Insert: "and the Crow and Northern Cheyenne Indians"

And as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman):

2/23/77

SB 23, be concurred in. Report adopted.

SB 91, be concurred in. Report adopted.

SB 116, be concurred in. Report adopted.

HB 433, do not pass.

HB 789, do not pass.

HB 294, introduced copy, be amended as follows:

1. Amend page 1, section 1, lines 20 and 21.

Following: line 19

Strike: "services"

Insert: "programs"

Following: "agency"

Strike: "by means of sanitarian services"

2. Amend page 2, section 1, lines 14 through 16.

Following: "Noncategorical"

Strike: "federal moneys"

Following: "means"

Strike: "any moneys provided to the department of health and environmental sciences by the federal government and"

3. Amend page 2, section 1, line 16.

Following: "for"

Insert: "a"

4. Amend page 2, section 1, line 17.

Following: "specific"

Strike: "programs"

Insert: "program or service"

5. Amend page 2, section 1, line 18.

Following: "health"

Strike: "services"

Insert: "programs"

Following: "those"

Strike: "services"

Insert: "programs"

6. Amend page 2, section 1, lines 19 and 20.

Following: "agency"

Strike: "by means of public health nursing and other professional and ancillary services"

7. Amend page 5, section 4, lines 11 and 12.

Following: "shall"

Strike: "either be obtained from a physician employee of the department or"

Insert: "be"

8. Amend page 5, section 4, line 13.

Following: line 12

Strike: "another"

Insert: "a"

Following: "Montana"

Insert: "and may be obtained from a physician employee of the department"

9. Amend page 5, section 4, line 21.

Following: "diseases"

Insert: "designated reportable by the department"

10. Amend page 10, section 6, line 19.

Following: "develop"

Strike: "manuals and handbooks"

Insert: "reference materials"

11. Amend page 10, section 6, line 21.

Following: "The"

Strike: "manuals and handbooks"

Insert: "reference materials"

12. Amend page 10, section 6, line 23.

Following: "(a)"

Strike: "an appropriate local health program"

Insert: "a description of the optimal practices for each program or service the local health department wishes to provide,"

13. Amend page 11, section 6, line 4.

Following: "state"

Insert: ". This description shall provide the basis upon which evaluations required in subsection (3) shall be conducted"

14. Amend page 11, section 6, line 6.

Following: "receiving"

Insert: "noncategorical"

15. Amend page 11, section 6, line 8.

Following: "content"

Insert: "and availability"

16. Amend page 11, section 6, line 9.

Following: "programs"

Strike: "which the department shall conduct"

Insert: "conducted"

17. Amend page 11, section 6, line 13.

Following: "of the"

Strike: "manuals or"

18. Amend page 11, section 6, line 14.

Following: line 13

Strike: "handbooks"

Insert: "reference materials"

Following: "any"

Strike: "rules"

Insert: "proposed rule potentially"

19. Amend page 11, section 6, line 15.

Following: "department"

Insert: "or board of health and environmental sciences"

20. Amend page 11, section 6, line 18.

Following: "shall"

Insert: ", within the limits of available resources,"

21. Amend page 11, section 6, line 22.

Following: "provided by"

Strike: "other"

Insert: "nongovernmental"

22. Amend page 12, section 6, line 1.

Following: "body"

Insert: "and to the public upon request"



23. Amend page 12, section 6, line 4.

Following: "shall"

Insert: ", within the limits of available resources"

24. Amend page 12, section 6, line 5.

Following: "consultative"

Strike: "and legal"

25. Amend page 12, section 6, lines 9 and 10.

Following: "(b)"

Strike: "coordinate between all bureaus of the department all contacts with and"

Insert: "provide adequate advance notice of"

26. Amend page 12, section 6, line 10.

Following: "visits"

Strike: "and communications"

Following: "to"

Insert: "counties,"

27. Amend page 12, section 6, line 13.

Following: "(c)"

Strike: "actively and continuously"

28. Amend page 12, section 6, lines 22 through 25.

Following: "(section 4(6))."

Strike: lines 22 through 25 in their entirety

29. Amend page 13, section 6, lines 1 through 3.

Following: page 12

Strike: lines 1 through 3 in their entirety

30. Amend page 13, section 6, line 7.

Following: "board"

Strike: "or school district"

31. Amend page 13, section 6, line 9.

Following: "itemized"

Strike: "billing"

Insert: "bill"

Following: "board"

Strike: "or school district"

32. Amend page 13, section 6, line 10.

Following: "board"

Strike: "or school district"

33. Amend page 13, section 6, line 11.

Following: "services."

Insert: "The board shall pay the bill received from the department."

34. Amend page 14, section 7, line 1.

Following: page 13

Insert: "(f) inspection of state institutions for sanitary conditions;

(g) occupational health programs;

(h) radiological health programs;"

Renumber: subsequent subsections

35. Amend page 14, section 7, line 2.

Following: line 1

Insert: "(j) state level subdivision plan approval;"

Renumber: subsequent subsections

36. Amend page 14, section 7, line 16.

Following: "year"

Insert: ", using the latest official population estimate,"

37. Amend page 15, section 7, line 21.

Following: "for"

Insert: "noncategorical"

38. Amend page 16, section 7, line 2.

Following: "funds."

Insert: "Combined state and federal noncategorical revenues disbursed by the department shall not constitute more than 50% of the total annual budget of a local health department."

39. Amend page 17, section 8, line 11.

Following: "department."

Insert: "The local health officer shall, within 30 days after the department has made a decision to issue a license under this chapter, make a final decision on whether the license will be validated. If the local health officer refuses to validate the license, he shall notify the applicant, the department, and any other interested person in writing. The applicant may appeal the decision to the state board of health and environmental sciences within 30 days after receiving written notice of the local health officer's decision. The hearing before the state board of health and environmental sciences shall be held pursuant to the contested case procedures of the Montana administrative procedure act."

40. Amend page 18, section 9, line 23.

Following: "department."

Insert: "The local health officer shall, within 30 days after the department has made a decision to issue a license under this chapter, make a final decision on whether the license will be validated. If the local health officer refuses to validate the license, he shall notify the applicant, the department, and any other interested person in writing. The applicant may appeal the decision to the state board of health and environmental sciences within 30 days after receiving written notice of the local health officer's decision. The hearing before the state board of health and environmental sciences shall be held pursuant to the contested case procedures of the Montana administrative procedure act."

41. Amend page 22, section 12, line 24.

Following: "department."

Insert: "The local health officer shall, within 30 days after the department has made a decision to issue a license under this chapter, make a final decision on whether the license will be validated. If the local health officer refuses to validate the license, he shall notify the applicant, the department, and any other interested person in writing. The applicant may appeal the decision to the state board of health and environmental sciences within 30 days after receiving written notice of the local health officer's decision. The hearing before the state board of health and environmental sciences shall be held pursuant to the contested case procedures of the Montana administrative procedure act."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 597, do not pass.  
 HB 750, do not pass.  
 HB 784, do not pass.  
 HB 806, do not pass.  
 HJR 77, do not pass.

NATURAL RESOURCES (Shelden, Chairman):

2/23/77

HB 593, do not pass.  
 HB 614, do not pass.  
 HB 703, do not pass.  
 HB 717, do not pass.  
 HJR 70, introduced copy, be amended as follows:

1. Amend page 1, lines 10 and 11.

Following: "to"

Strike: "the"

Following: "environment"

Strike: "of Montana"

Following: "that"

Strike: "her"

2. Amend page 1, line 13.

Following: "Canada"

Insert: "and the United States"

3. Amend page 1, line 14.

Strike: "Montana's"

Insert: "their respective"

Following: "which"

Strike: "Montana would have no control"

Insert: "a joint control does not exist"

And as amended, do pass. Report adopted.

HJR 71, introduced copy, be amended as follows:

1. Amend title, line 7.

Following: "mining of"

Insert: "principally"

2. Amend page 1, lines 11 and 12.

Following: "mining of"

Insert: "principally"

Strike: "an activity that is becoming increasingly common"

Insert: "a strong possibility"

3. Amend page 2, line 4.

Following: "the"

Strike: "Environmental Quality Council"

Insert: "Bureau of Mines"

And as amended, do pass. Report adopted.

HJR 83, do pass. Report adopted.

TAXATION (Huennekens, Chairman):

2/22/77

HB 423, do not pass.  
 HB 775, do not pass.

**FIRST READING AND COMMITMENT  
 OF BILLS AND RESOLUTIONS**

The following bills were introduced, read first time and referred to committees:

- HJR 88, introduced by Lund, Bardanouve, Marks, Dussault, Moore.  
Referred to Committee on Appropriations.
- SB 173, introduced by Jergeson, Manley, Roskie, Regan, Brown.  
Referred to Committee on Natural Resources.
- SB 242, introduced by Manley. Referred to Committee on Fish and Game.
- SB 284, introduced by Thiessen, Roskie, Galt, Devine, Story, Dover, Etchart, McOmber, Graham, Flynn, Mathers, E. Smith, Manning, Manley. Referred to Committee on Natural Resources.
- SB 300, introduced by Watt, Murray. Referred to Committee on Education.
- SB 301, introduced by Rasmussen, Galt, Devine, Thomas, Warden.  
Referred to Committee on Business and Industry.
- SB 334, introduced by Blaylock. Referred to Committee on Labor.
- SB 414, introduced by Roberts. Referred to Committee on Judiciary.
- SB 415, introduced by Roberts. Referred to Committee on Judiciary.
- SB 437, introduced by Dunkle. Referred to Committee on Judiciary.
- SJR 20, introduced by Roberts, Manley. Referred to Judiciary Subcommittee on Montana Water.
- SJR 32, introduced by Boylan, Lensink, Galt, Kolstad, R. Smith, Etchart, E. Smith, Brown, Hager, Jergeson, Warden, Watt, Peterson.  
Referred to Committee on Education.
- SJR 33, introduced by Boylan, Lensink, Galt, Kolstad, R. Smith, Etchart, E. Smith, Brown, Hager, Jergeson, Warden, Watt, Peterson.  
Referred to Committee on Education.

### MOTIONS

Meloy moved that consideration of HB 658 be passed for the day. Motion carried.

Burnett moved that the House reconsider its action yesterday in failing to pass HB 560 on Second Reading. Motion carried. (40-39)

### REPORTS OF STANDING COMMITTEES

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HJR 50 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedak, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, Manuel, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 81

Noes: None.  
Total 0

Excused: Ellerd, Kennerly, Menahan.  
Total 3

Absent or not voting: Bardanouve, Bradley, Courtney, Day, Gould, Hurwitz, Jensen, Kessler, Lory, McLane, Marks, Mular, Quilici, Scully, Teague, Vinger.



Total 16

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 322 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hirsch, Huennekens, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, Marks, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Underdal, Vincent, Williams, Wood, Wyrick.

Total 66

Noes: Brand, Cooney, Courtney, Dussault, Estenson, Hansen, Harper, Harrington, Holmes, Kimble, Manuel, Meloy, Metcalf, Mular, Palmer, Severson, Uhde, Waldron, Mr. Speaker.

Total 19

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: Bardanouve, Bradley, Day, Hurwitz, Jensen, Kessler, Lory, McLane, Quilici, Scully, Teague, Vinger.

Total 12

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 536 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron.

Total 73

Noes: Barrett, Colburn, Estenson, Hansen, Harper, Mular, Severson, Williams, Wood, Wyrick, Mr. Speaker.

Total 11

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: R. Baeth, Bardanouve, Bradley, Day, Hurwitz, Jensen, Kessler, Lory, McLane, Quilici, Scully, Teague, Vinger.

Total 13

On motion by Robbins, and in accordance with the 24-hour rule, the adverse committee report on HB 716 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Meyer, Moore, Nathe, O'Connell,

O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.  
Total 72

Noes: Barrett, Dussault, Ellis, Estenson, Frates, Harper, Holmes, Huennekens, Kimble, Metcalf, Mular, Palmer, Uhde, Waldron.  
Total 14

Excused: Ellerd, Kennerly, Menahan.  
Total 3

Absent or not voting: Bardanouve, Bradley, Day, Feda, Hurwitz, Kessler, Lory, Scully, Severson, Teague, Vinger.  
Total 11

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 786 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Davis, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick.  
Total 77

Noes: Colburn, Cox, Dassinger, Dussault, Ellison, Holmes, Huennekens, Kimble, Metcalf, Palmer, Severson, Shelden, Waldron, Mr. Speaker.  
Total 14

Excused: Ellerd, Kennerly, Menahan.  
Total 3

Absent or not voting: Bardanouve, Day, Kessler, Lory, Scully, Vinger.  
Total 6

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 790 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 85

Noes: Colburn, Dassinger, Ellis, Estenson, McLane, Mular, Teague.  
Total 7

Excused: Ellerd, Kennerly, Menahan.  
Total 3

Absent or not voting: Day, Kessler, Lory, Scully, Vinger.

Total 5

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on HB 798 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Eudaily, Fagg, Fedá, Gerke, Gould, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Bradley, Cooney, Courtney, Dussault, Estenson, Frates, Gilligan, E. Gunderson, J. Gunderson, Harper, Holmes, Meloy, Metcalf, Mular, Palmer, Shelden, Tropila, Vincent.

Total 18

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: Day, Fabrega, Kessler, Lory, Scully, Vinger.

Total 6

On motion by Staigmilller, and in accordance with the 24-hour rule, the adverse committee report on HB 657 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ernst, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kenny, Kimble, Lien, Lynch, Manuel, Meloy, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Tropila, Uhde, Underdal, Vincent, Williams, Wyrick, Mr. Speaker.

Total 59

Noes: Aageson, R. Baeth, Bertelsen, Cox, Curtiss, Davis, Ellis, Ellison, Estenson, Fabrega, Gould, J. Gunderson, Hansen, Hurwitz, Johnston, Keyser, Kropp, Kvaalen, Lund, McLane, Marks, Moore, Nathe, Roth, Sivertsen, Smith, Staigmilller, Stobie, Tower, Turner, Waldron, Wood.

Total 32

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: Kessler, Lory, Scully, South, Teague, Vinger.

Total 6

On motion by W. Baeth, and in accordance with the 24-hour rule, the adverse committee report on HB 368 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellison, Ernst, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Lien, Lund, Lynch, McLane, Marks, Meloy, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria,



Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sheldon, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Williams, Wyrick, Mr. Speaker.

Total 76

Noes: R. Baeth, Colburn, Cox, Ellis, Estenson, Eudaily, Gould, Kimble, Kvaalen, Manuel, Moore, Mular, Uhde, Waldron, Wood.

Total 15

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: Davis, Kessler, Lory, Scully, South, Vinger.

Total 6

On motion by W. Baeth, and in accordance with the 24-hour rule, the adverse committee report on HB 369 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Lien, Lund, Lynch, McLane, Meloy, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Ryan, Seifert, Sheldon, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Williams, Mr. Speaker.

Total 67

Noes: Aageson, R. Baeth, Burnett, Eudaily, Fabrega, Halvorson, Hansen, Holmes, Kropp, Kvaalen, Manuel, Marks, Meyer, Moore, Nathe, Robbins, Roth, Severson, Tower, Vincent, Waldron, Wood, Wyrick.

Total 23

Excused: Ellerd, Kennerly, Menahan.

Total 3

Absent or not voting: Davis, Kessler, Lory, Quilici, Scully, South, Vinger.

Total 7

Meloy moved that the House pass consideration of HB 327 on adverse committee report for the day. Motion carried.

## PUBLIC HEALTH, WELFARE AND SAFETY

(Holmes, Vice-Chairman):

2/23/77

HB 61, introduced bill, be amended as follows:

1. Amend title, lines 4 through 6.

Following: "entitled: 'An act"

Strike: lines 4 through 6 in their entirety

Insert: "to provide free or low-cost transportation on municipal or transportation district public transportation systems to persons 62 years of age and older and to permanently disabled persons."

2. Amend the bill, page 1.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Free or low-cost transportation on public transportation systems for elderly persons or permanently disabled persons. (1) Whenever a municipality or a transportation district operates or contracts for the operation of a public transportation system, including a bus line, a person 62 years of age or older or a disabled person possessing an identification card issued by the division of motor vehicles indicating that a permanent disability exists may



be charged no more than 10 cents to ride on the transportation system. Such persons may be permitted to ride free of charge.

(2) Eligibility for free or low-cost fares under this section may be verified by identification cards issued by the division of motor vehicles."

And as amended, do pass. Report adopted.

HB 286, introduced bill, be amended as follows:

1. Amend page 3, section 3, line 10.

Following: "equivalent"

Insert: ", bioequivalent, and bioavailable"

2. Amend page 6, section 8, line 7.

Following: "(2)"

Strike: "In no event when"

Insert: "When"

3. Amend page 6, section 8, line 8.

Following: "product"

Strike: "will"

Following: "prescriber"

Strike: "be"

Insert: "may not be held"

4. Amend page 6, section 8, lines 10 and 11.

Following: "product"

Strike: "unless the original drug product was incorrectly prescribed"

Insert: ", except that if the original drug product was incorrectly prescribed, the prescriber is not relieved of liability"

And as amended, do pass. Report adopted.

HB 303, do not pass.

HB 350, do pass. Report adopted.

HB 569, introduced bill, be amended as follows:

1. Amend page 2, section 2, line 21.

Following: "for"

Insert: "a family member or"

2. Amend page 6, section 11, line 16.

Following: "of"

Strike: "community affairs"

Insert: "labor and industry"

And as amended, do pass. Report adopted.

HB 644, introduced bill, be amended as follows:

1. Amend page 1, section 1, lines 15 and 16.

Following: "resident"

Strike: "under 62 years of age"

2. Amend page 1, section 1, line 23.

Following: line 22

Strike: "and under 62 years of age,"

3. Amend page 9, section 1, line 9.

Following: "is"

Strike: "sixty-two (62)"

Insert: "sixty-five (65)"

4. Amend page 9, section 1, line 11.

Following: "(license)"

Strike: "Montana state golden years pass"

Insert: "conservation license"

5. Amend page 9, section 1, lines 13 through 17.

Following: "(\$10)." "

Strike: "In addition, this special pass entitles the holder to enter all state-controlled parks, recreation areas, campgrounds, and other areas of interest. The commission shall issue the pass to qualified persons, and it shall remain valid until the death of the holder"

Insert: "Any Montana resident as defined in 26-202.3 who is 65 years of age or older may purchase a Montana state golden years pass for \$1 which, when attached to his or her vehicle, allows the passengers of that vehicle to camp free in Montana state parks, recreation areas, and fishing access sites. This pass is valid for the lifetime of the individual"

6. Amend page 9, section 1, line 18.

Following: "(license)"

Strike: "the pass"

Insert: "such license"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

Objection raised by Brand on 2/23/77 on adverse committee report on HJR 77. Referred to Second Reading.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 560 be amended as follows:

1. Amend the amendment.

Strike: the amendment no. 3 in its entirety (77-11)

And as amended, do pass. (59-30)

That HB 765 do pass. (89-0)

That HB 769 do pass. (73-11)

That HB 772 be amended as follows:

1. Amend pages 10 and 11, section 6, line 25 through line 1, page 11.

Following: "by"

Insert: "budget amendment as provided in appropriation acts and with the approval of" (86-2)

And as amended, do pass. (87-0)

That HJR 23 do pass. (93-0)

- That HJR 59 do pass. (91-0)
- That HJR 72 do pass. (89-0)
- That HB 363 do pass. (86-1)
- That HB 395 do pass. (82-1)
- That HB 430 do pass. (84-1)
- That HB 533 do pass. (89-1)
- That HB 677 do pass. (76-10)

That HB 679 be amended as follows:

1. Amend page 7, section 6, lines 8 and 9.

Following: "district."

Strike: "Unless a district is expending funds granted by a governmental agency, it"

Insert: "A district"

2. Amend page 7, section 6, lines 12 through 14.

Following: "body"

Strike: lines 12 through 14 in their entirety

3. Amend page 7, section 6, line 23.

Strike: line 23 in its entirety (84-0)

And as amended, be passed for the day.

- That HB 692 do pass. (48-43)
- That HB 715 do pass. (71-17)
- That HB 748 do pass. (73-19)
- That HJR 55 do pass. (94-0)

That the committee rise and report and beg leave to sit again. (Gerke, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

Objection raised by Brand on 2/23/77 on adverse committee report on HB 114. Referred to Second Reading.

NATURAL RESOURCES (Shelden, Chairman):

2/23/77

HB 722, introduced copy, be amended as follows:

1. Amend page 1, section 1, line 22.

Following: "entity"

Insert: "and does not include the governments of the United States, state of Montana, or its political subdivisions"

2. Amend page 4, section 6, line 5.

Following: "interests"

Insert: "— revival of abandoned rights"

Following: " "

Insert: "(1)"

3. Amend page 4, section 6, line 13.

Following: line 12

Insert: "(2) In addition to serving a summons upon a defendant in the quiet title action, the surface owner shall provide a copy of the pamphlet prepared by the department of state lands pursuant to (section 7).

(3) The county clerk and recorder shall provide the clerk of the district court with sufficient copies of the pamphlet to enable plaintiff to comply with subsection (2).

(4) Any holder of a mineral interest considered abandoned under the provisions of (section 3) who is classed as a defendant, whether named or unnamed, in an action under this section may revive his interest by recording or rerecording the interest within 3 years of the date of filing the complaint. This recording or rerecording is subject to the limitations of (section 5). The revived interest may be preserved pursuant to (section 4)."

4. Amend page 4, section 7, line 25.

Following: line 24

Strike: "subsection (4)"

Insert: "(section 6)"

5. Amend page 5, section 7, lines 17 through 25.

Following: "10 years."

Strike: lines 17 through 25 in their entirety

(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman): 2/23/77  
HB 627, introduced copy, be amended as follows:

1. Amend title, line 6.

Following: "drug"

Strike: "dependency"

Insert: "dependence"

2. Amend title, line 8.

Following: "programs;"

Insert: "establishing certain requirements for programs receiving state funding support;"

3. Amend page 3, section 3, line 24.

Following: "under this"

Strike: "act"

Insert: "chapter"

4. Amend page 4, section 3, line 5.

Following: "dependence"

Insert: "established by the department under 80-2702"

5. Amend page 4, section 3, line 21.

Following: "alcoholics,"

Strike: "and"

6. Amend page 25, section 16, line 20 through line 17 on page 26.

Following: line 19

Strike: subsections (1) through (3) in their entirety

Insert: "(1) Revenue generated by 4-1-401 and 4-1-404 for the treatment, rehabilitation, and prevention of alcoholism may be distributed in either of the following manners:

(a) as payment of fees for alcoholism services provided by state-approved alcoholism programs, certified alcoholism counselors, licensed physicians, and licensed hospitals; and

(b) as grants to persons operating state-approved alcoholism programs.



(2) No person operating a state-approved alcoholism program may be required to provide matching funds as a condition of receiving a grant under subsection (1) of this section.

(3) In addition to funding received under this section, a person operating a state-approved alcoholism program may accept gifts, bequests, or the donation of services or money for the treatment, rehabilitation, or prevention of alcoholism.

(4) No person receiving funding under this section to support operation of a state-approved alcoholism program may refuse alcoholism treatment, rehabilitation, or prevention services to a person solely because of that person's inability to pay for those services.

(5) A grant made under this section is subject to the following conditions:

(a) The grant application must contain an estimate of all program income including income from earned fees, gifts, bequests, donations, and grants from other than state sources during the period for which grant support is sought.

(b) Whenever, during the period of grant support, program income exceeds the amount estimated in the grant application, the amount of the excess shall be reported to the grantor.

(c) The excess shall be used by the grantee under the terms of the grant in accordance with one or a combination of the following options:

(i) use for any purpose that furthers the objectives of the legislation under which the grant was made; or

(ii) deduct from total project costs to determine the net costs on which the grantor's share of the costs is based."

Renumber: subsequent subsection

7. Amend page 26, section 16, line 21.

Following: "Montana"

Strike: "and"

Insert: "or"

8. Amend page 27, section 17, line 6.

Following: "((5%))"

Strike: "15%"

Insert: "10%"

9. Amend page 27, section 17, line 12.

Following: "((5%))"

Strike: "15%"

Insert: "10%"

10. Amend page 27, section 17, line 15.

Following: "((5%))"

Strike: "15%"

Insert: "10%"

11. "Amend page 27, section 17, line 17.

Following: line 16

Strike: "Two-thirds"

Insert: "Three-fourths"

12. Amend page 27, section 17, line 19.

Following: "((1/5))"  
Strike: "One-third"  
Insert: "One-fourth"

13. Amend page 28, section 17, line 21.

Following: "The"  
Strike: "one-third"  
Insert: "one-fourth"

14. Amend page 28, section 17, line 22.

Following: "deposited"  
Strike: "within"  
Insert: "with the state treasurer to the credit of"

15. Amend page 28, section 17, line 23.

Following: "drug"  
Strike: "dependency"  
Insert: "dependence"

16. Amend page 29, section 18, line 16.

Following: line 15  
Strike: "\$1.75"  
Insert: "\$1.00"

17. Amend page 29, section 18, line 19.

Following: "((\$.25))"  
Strike: "\$1.75"  
Insert: "\$1.00"

18. Amend page 29, section 18, line 21.

Following: "(fund)"  
Strike: "within"  
Insert: "with the state treasurer to the credit of"

19. Amend page 29, section 18, line 22.

Following: "drug"  
Strike: "dependency"  
Insert: "dependence"

(Material in brackets denotes cancelled type.)

And as amended, do pass. Report adopted.

### MOTIONS

Meloy moved that the rules be suspended so the following bills may be placed on the Second Reading board today: HB 482, HB 487, HB 612, HB 707, HB 714, HB 793, HB 804, HJR 35, HJR 67, HJR 75, HJR 76, and HJR 82. Motion carried.

W. Baeth moved that HB 627 be rereferred from Printing to the Committee on Taxation. Motion carried.

Vincent moved that the rules be suspended to allow introduction of a House Joint Resolution relative to the proposed cloud seeding program considered by the State of Washington. Motion carried.

Meloy moved that the following bills be rereferred from Printing to the Committee on Appropriations: HB 560 and HB 715. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee

of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 482 do not pass. (53-32)

That HB 487 be passed for the day.

That HB 612 do pass. (69-21)

That HB 707 be passed for the day.

That HB 714 do pass. (75-6)

That the committee rise and report. (Gerke, Chairman) Report adopted.

Meloy moved that the House adjourn until 10:00 a.m., February 24, 1977.

Motion carried.

House adjourned at 7:05 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## FORTY-SIXTH LEGISLATIVE DAY

Helena, Montana  
February 24, 1977

House Chambers  
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Menahan, Moore, Mular, excused; Aageson, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

Was signed by the Speaker on adjournment, 2/23/77 - HB 163.

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

2/24/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business February 24, 1977:

Mark Morehouse.....	Page
Terry Eickmeyer.....	Page

Report adopted.

#### STATE ADMINISTRATION (Brand, Chairman):

2/23/77

HB 771, introduced bill, be amended as follows:

1. Amend title, line 12.

Following: "1947,"

Strike: "and"

2. Amend title, line 13.

Following: "1947"

Insert: "; and providing a delayed effective date"

3. Amend page 10, line 21.

Following: line 21

Insert: "Section 8. Applicable law - receipt of federal funds. (1) Sections 82A-116 through 82A-122 are applicable to this act.

(2) If the department of institutions or any of the institutions transferred to the department of social and rehabilitation services by this act have been designated by legislative act or executive action as the sole or single state agency for purposes of receiving federal funds the department of social and rehabilitation services is substituted therefore.

Section 9. Effective date. This act is effective upon the date the governor signs an executive order implementing it or on July 1, 1978, whichever occurs first. The governor shall file the executive order with the secretary of state on the day the order is signed. The secretary of state shall file and record the order and send a copy of the order to each addressee on his official mailing list for the Revised Codes of Montana and to each addressee on the mailing list of the publisher of the Revised Codes of Montana."

Renumber: subsequent section

And as amended, do pass. Report adopted.

HB 801, introduced bill, be amended as follows:

1. Amend page 2, section 2, subsection (8), lines 19 and 20.

Following: "means"

Strike: "the amount of the base salary"

Insert: "wage"

2. Amend page 5, section 4, subsection (3), line 12.

Following: "No"

Insert: "active"

3. Amend page 5, section 4, subsection (3), line 13.

Following: "plan"

Insert: "for police service"

4. Amend page 9, section 8, subsection (2), line 2.

Following: "is"

Insert: "at all times"

5. Amend page 9, section 8, subsection (2), lines 2 and 3.

Following: "in"

Strike: "his member contributions at all times"

Insert: "the deductions made from his compensation as a member or as a member of a prior plan standing to his credit"

6. Amend page 9, section 8, subsection (2), line 4.

Following: "amount of"

Strike: "his member contributions"

Insert: "these deductions"

7. Amend page 11, section 13, subsection (1).

Following: line 15

Insert: "(2) Any inactive member whose disability retirement allowance is so cancelled shall be reinstated to the position held by him immediately before his retirement or to a position in the same classification with duties within his capacity. The board shall advise the employer that the disability retirement allowance has been cancelled and that the inactive member is eligible for reinstatement to duty. The fact that he was retired for disability may not prejudice any right to reinstatement to duty which the inactive member may have or claim to have."

Renumber: subsequent subsection

8. Amend page 11, section 13, subsection (2), line 18.

Following: "following"

Strike: "receipt of such notice"

Insert: "his receipt of notice under subsection (1)"

9. Amend page 15, section 19, subsection (3), line 6.

Following: "issue"

Strike: "subpoenas"

Insert: "subpoenas"

10. Amend page 18, section 25, subsection (2), line 5.

Following: "city"

Strike: "can"

Insert: "may"

11. Amend page 25, section 34, line 10.

Following: "abolished"

Strike: "functions —"

Insert: "— functions"

12. Amend page 25, section 34, line 19.

Following: "Police"

Strike: "Officers"

Insert: "Officers"

13. Amend page 28, section 39, line 24.

Following: "(may be)."

Insert: "The funds deposited in the police reserve fund of a city or town after July 1, 1977, are limited to the investments in 73-310 except that the funds may not be invested in common stocks. However, these funds may be invested under the provisions of 79-311."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HJR 79, introduced bill, be amended as follows:

1. Amend page 1, line 23.

Following: "form"

Strike: "consist of four"

2. Amend page 1, line 24.

Following: line 23

Strike: "pages, each page to"

3. Amend page 1, line 25.

Following: "that"

Strike: "two pages"

Insert: "it"

Following: "and"

Strike: "two pages"

4. Amend page 2, line 1.

Following: page 1, line 25

Strike: "for reporting"

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman):

2/24/77

HB 538, introduced copy, be amended as follows:

1. Amend title, lines 5 through 10.

Following: "domain"

Strike: lines 5 through 10 in their entirety

Insert: "; amending section 93-9902, R.C.M. 1947."

2. Amend the bill, pages 1 through 4.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Section 93-9902, R.C.M. 1947, is amended to read as follows:

'93-9902. What are public uses. Subject to the provisions of this chapter, the right of eminent domain may be exercised in behalf of the following public uses:

1. All public uses authorized by the government of the United States.

2. Public buildings and grounds for the use of the state, and all other public uses authorized by the legislative assembly of the state.

3. Public buildings and grounds for the use of any county, city, or town, or school districts; canals, aqueducts, flumes, ditches, or pipes conducting water, heat, or gas for the use of the inhabitants of any county, city, or town; raising the banks of streams, removing obstructions therefrom, and widening, deepening, or straightening their channels; roads, streets, and alleys, and all other public uses for the benefit of any county, city, or town, or the inhabitants thereof, which may be authorized by the legislative assembly; but the mode of apportioning and collecting the costs of such improvements shall be such as may be provided in the statutes or ordinances by which the same may be authorized.

4. Wharves, docks, piers, chutes, booms, ferries, bridges, of all kinds, private roads, plank and turnpike roads, railroads, canals, ditches, flumes, aqueducts, and pipes for public transportation, supplying mines, mills, and smelters for the reduction of ores and farming neighborhoods with water, and drainage and reclaiming lands, and for floating logs and lumber on streams not navigable, and sites for reservoirs, necessary for collecting and storing water - for:

(1) public water supplies or other water resource projects for the state or any political subdivision of state government including any county, city, or town;

(2) solely agricultural and/or domestic purposes;

(3) hydro-electric facilities;

(4) energy conversion facilities owned exclusively by rural electric cooperatives or by utilities regulated by the Montana Public Service Commission. Provided, however, that such reservoir sites must possess a public use demonstrable to the district court as the highest and best use of the land.

5. Roads, tunnels, ditches, flumes, pipes, and dumping places for working mines, mills, or smelters for the reduction of ores; also outlets, natural or otherwise, for the flow, deposit, or conduct of tailings or refuse matter from mines, mills and smelters for the reduction of ores, also an occupancy in common by the owners or the possessors of different mines of any place for the flow, deposit, or conduct of tailings or refuse matter from their several mines, mills, or smelters for reduction of ores, and sites for reservoirs necessary for collecting and storing water for:

(1) public water supplies or other water resource projects for the state or any political subdivision of state government including any county, city, or town;

(2) solely agricultural and/or domestic purposes;

(3) hydro-electric facilities;

(4) energy conversion facilities owned exclusively by rural electric cooperatives or by utilities regulated by the Montana Public Service Commission. Provided, however, that such reservoir sites must possess a public use demonstrable to the district court as the highest and best use of the land.

6. Private roads leading from highways to residences or farms.

7. Telephone or electric light lines.



8. Telegraph lines.

9. Sewerage of any city, county, or town, or any subdivision thereof, whether incorporated or unincorporated, or of any settlement consisting of not less than ten (10) families, or of any public buildings belonging to the state, or to any college or university.

10. Tramway lines.

11. Electric power lines.

12. Logging railways.

13. Temporary logging roads and banking grounds for the transportation of logs and timber products to public streams, lakes, mills, railroads, or highways, for such time as the court or judge may determine; provided, the grounds of state institutions be excepted.

14. Underground reservoirs suitable for storage of natural gas.

15. To mine and extract ores, metals or minerals owned by the plaintiff located beneath or upon the surface of property where the title to said surface vests in others; provided, however, the use of the surface for strip mining or open pit mining of coal (i.e., any mining method or process in which the strata or overburden is removed or displaced in order to extract the coal) is not a public use and eminent domain may not be exercised for this purpose.”

And as amended, do pass. Report adopted.

HB 787, introduced bill, be amended as follows:

1. Amend page 2, section 1, subsection (d), line 5.

Following: “for”

Strike: “thirty (30)”

Insert: “60”

2. Amend page 2, section 1, subsection (e), line 8.

Following: “for (thirty )”

Strike: “30”

Insert: “60”

3. Amend page 2, section 2, line 23.

Following: “described in”

Strike: “15-2287(1)”

Insert: “15-2701(1)”

4. Amend page 3, section 3, line 8.

Following: “October”

Strike: “15”

Insert: “1”

5. Amend page 3, section 3, subsection (a), line 15.

Following: “to the”

Strike: “corporation’s”

Insert: “corporation”

6. Amend page 3, section 3, subsection (a), line 16.

Following: line 15

Strike: “president or secretary”

Insert: “in care of its registered agent or any director or officer”

7. Amend page 3, section 3, subsection (3), line 22.

Following: "described in"

Strike: "15-2287"

Insert: "15-2701"

8. Amend page 4, section 4, line 20.

Following: "state"

Insert: "— application and fees"

9. Amend page 4, section 4, lines 20 and 21.

Following: "(1)"

Strike: "If in his judgment it is in the interest of justice, the"

Insert: "The"

10. Amend page 5, section 4, subsection (2), lines 2 through 8.

Following: "(2)"

Strike: lines 2 through 8 in their entirety

Insert: "A corporation applying for reinstatement shall submit to the secretary of state in duplicate an application signed by its authorized representative setting forth:

(a) the name of the corporation;

(b) a statement that the assets of the corporation have not been liquidated pursuant to 15-2290 or 15-2354;

(c) a statement that not less than a majority of its directors have authorized the application for reinstatement; and

(d) if its corporate name has been legally acquired by another corporation prior to its application for reinstatement, the corporate name under which the corporation desires to be reinstated.

(3) The corporation shall submit with its application for reinstatement:

(a) a certificate from the department of revenue stating that all taxes imposed pursuant to Title 84 have been paid; and

(b) a filing fee in an amount equal to one-half of the filing and license fees which the corporation would be required to pay if the corporation were filing its original articles of incorporation."

Renumber: subsequent subsections

11. Amend page 5, section 4, subsection (3).

Following: line 11

Insert: "(a) conform and file in his office reports, statements, and other instruments submitted for reinstatement; and"

Renumber: subsequent subsections

12. Amend page 5, section 2, subsection (b).

Following: line 16

Insert: "(5) Any restoration of corporate rights pursuant to this act relate back to the date the corporation was involuntarily dissolved and the corporation shall be considered to have been an existing legal entity from the date of its original incorporation."

Renumber: subsequent subsection

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 811, do pass. Report adopted.

HJR 80, do pass. Report adopted.

HJR 81, do pass. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman):

HB 530, without recommendation. Report adopted.

HB 610, introduced bill, be amended as follows:

2/23/77

1. Amend page 2, section 1, line 12.

Following: "(((\$10))"

Strike: "\$25"

Insert: "\$15"

2. Amend page 3, section 2, subsection (2), line 6.

Following: "exceed"

Strike: "\$25"

Insert: "\$15"

3. Amend page 4, section 2, subsection (3), line 7.

Following: "exceed"

Strike: "\$25"

Insert: "\$15"

4. Amend page 4, section 2, subsection (3), line 10.

Following: line 9

Strike: "\$30"

Insert: "\$25"

5. Amend page 4, section 2, subsection (3), line 12.

Following: "exceed"

Strike: "\$25"

Insert: "\$15"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 667, introduced bill, be amended as follows:

1. Amend page 2, section 1, subsection (2)(a), line 16.

Following: "municipality"

Insert: "pursuant to Title 70, chapter 6"

2. Amend page 2, section 1, subsection (2)(a), line 18.

Following: "tunnel."

Insert: "Total rentals charged to utilities may not exceed 75% of the cost of construction and maintenance."

Following: "amortize"

Insert: "that portion of"

3. Amend page 2, section 1, subsection (2)(a), line 19.

Following: "tunnel"

Insert: "for which the utilities are responsible"

4. Amend page 2, section 1, subsection (2)(a), line 21.

Following: "use"

Insert: "The municipality in which the tunnel is located is responsible for its maintenance."

And as amended, do pass. Report adopted.

HB 688, introduced bill, be amended as follows:

1. Amend title, lines 6 through 8.

Following: "services;"

Strike: "to provide that possession of and offer to use such material or device is prima facie evidence of a purpose to commit the offense;"

2. Amend page 3, section 1, lines 5 through 16.

Following: line 4

Strike: subsections (4) and (5) in their entirety.

Insert: "(4) A person convicted of the offense of deceptive business practices shall be fined not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 6 months, or both."

And as amended, do pass. Report adopted.

HB 747, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "to"

Insert: "make every effort to"

2. Amend page 5, section 1, subsection (4)(b), line 20.

Following: "shall"

Insert: "make every effort to"

3. Amend page 5, section 1, subsection (4)(b), line 23.

Following: "Montana."

Insert: "These efforts shall include the active and diligent seeking out of such qualified mortgage investments within the state."

And as amended, do pass. Report adopted.

Mular present at this time.

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 466 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Colburn, Conroy, Cox, Dassinger, Davis, Day, Ellis, Ernst, Eudaily, Fagg, Feda, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meyer, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick.

Total 67

Noes: Bardanouve, Bradley, Brand, Cooney, Curtiss, Dussault, Estenson, Frates, E. Gunderson, J. Gunderson, Holmes, Huennekens, Lien, Meloy, Metcalf, Staigmiller, Turner, Vincent, Mr. Speaker.

Total 19

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Burnett, Courtney, Ellison, Fabrega, Harrington, O'Connell, Palmer, Seifert, South, Waldron.

Total 11

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 705 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Meyer, Nathe, O'Keefe, Pistoria, Porter, Quilici, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 74

Noes: Brand, Cooney, Dussault, Estenson, Frates, E. Gunderson, Hansen, Harper, Holmes, Kennerly, Kenny, Metcalf, Mular, Ryan, Vincent.

Total 15

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Burnett, Courtney, Harrington, Kessler, O'Connell, Palmer, Ramirez.

Total 8

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 744 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88

Noes: Kenny, McLane, Marks, Turner, Wood.

Total 5

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Courtney, Palmer, Ramirez.

Total 4

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 777 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Vinger, Williams, Wyrick.

Total 77

Noes: Bradley, Brand, Burnett, Dussault, Estenson, Holmes, Kennerly, Lory, Meloy, Metcalf, Mular, Uhde, Underdal, Vincent, Mr. Speaker.

Total 15

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Courtney, Kimble, Waldron, Wood.

Total 5

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 778 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: R. Baeth, Brand, Cooney, Harper, Holmes, Johnston, Kessler, Palmer.

Total 8

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Burnett, Courtney, Kimble, Waldron.

Total 5

BILLS (Quilici, Chairman):

2/24/77

Correctly printed - HB 77, HB 181, HB 457, HB 558, HB 564, HB 588, HB 622, HB 640, HB 672, HB 687, HB 763, HB 788, HB 791, HB 805, HB 809, HJR 15, HJR 28, HJR 63, HJR 73, HJR 77, HJR 78, HJR 83, HJR 85.

Considered correctly engrossed - HB 363, HB 395, HB 430, HB 447, HB 455, HB 497, HB 533, HB 544, HB 714, HB 726, HB 741, HB 742, HB 758, HB 759, HB 769, HJR 55.

Correctly engrossed - HB 151, HB 352, HB 719, HB 728, HJR 65.

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence:

2/23/77

Senate Bill No. 33, introduced by Blaylock

Senate Bill No. 234, introduced by Lee (by request)

Senate Bill No. 252, introduced by Turnage

Senate Bill No. 280, introduced by R. Smith, Regan, et al

Senate Bill No. 288, introduced by Turnage (by request)

Senate Bill No. 289, introduced by E. Smith, Hazelbaker (by request)

Senate Bill No. 291, introduced by Nelson (by request)

Senate Bill No. 293, introduced by Nelson (by request)

Senate Bill No. 294, introduced by Nelson (by request)

Senate Bill No. 328, introduced by Roskie, Goodover

Senate Bill No. 345, introduced by Lowe, Mathers, et al

Senate Bill No. 361, introduced by Devine (by request)

Senate Bill No. 366, introduced by Devine (by request)

Senate Bill No. 370, introduced by Devine, Manley, et al

Senate Bill No. 383, introduced by Turnage, Hazelbaker

Senate Bill No. 390, introduced by Devine (by request)

Resolution passed by the Senate and transmitted  
to the House for concurrence:

2/23/77

Senate Joint Resolution No. 37, introduced by Committee on Business  
and Industry (Hazelbaker, Chairman)

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following bill was accepted for introduction on the 18th Legislative  
Day, read first time and referred to committee:

HB 818, introduced by Lynch, Quilici, Mular, Harrington, Moore,  
Gilligan, Cooney, Courtney, Hand, Tropila, Fabrega, Meloy, South,  
Bradley, Lien, Marks, Kanduch. Referred to Committee on Appropria-  
tions.

The following Senate bills were introduced, read first time and referred  
to committees:

SB 33, introduced by Blaylock. Referred to Committee on Judiciary.

SB 234, introduced by Lee, (By Request of the Department of Labor).  
Referred to Committee on Labor and Employment Relations.

SB 252, introduced by Turnage. Referred to Committee on Taxation.

SB 280, introduced by R. Smith, Regan, Manley, Bergren, Watt, Towe,  
Mehrens, Lee, Healy. Referred to Committee on Business and Indus-  
try.

SB 288, introduced by Turnage, (By Request of the Investment Com-  
missioner). Referred to Committee on Business and Industry.

SB 289, introduced by E. Smith, Hazelbaker, (By Request of the State  
Auditor). Referred to Committee on Business and Industry.

SB 291, introduced by Nelson, (By Request of the Insurance Commis-  
sioner). Referred to Committee on Business and Industry.

SB 293, introduced by Nelson, (By Request of the Insurance Commis-  
sioner). Referred to Committee on Business and Industry.

SB 294, introduced by Nelson, (By Request of the Insurance Commis-  
sioner). Referred to Committee on Business and Industry.

SB 328, introduced by Roskie, Goodover. Referred to Committee on  
Business and Industry.

SB 345, introduced by Lowe, Mathers, Healy, Lee, Mehrens, Himsl,  
Nelson. Referred to Committee on Labor and Employment Relations.

SB 361, introduced by Devine, (By Request). Referred to Committee on  
State Administration.

SB 366, introduced by Devine, (By Request). Referred to Committee on  
Business and Industry.

SB 370, introduced by Devine, Manley, Hazelbaker, Murray, Roskie.  
Referred to Committee on Business and Industry.

SB 383, introduced by Turnage, Hazelbaker. Referred to Committee on  
Business and Industry.

SB 390, introduced by Devine, (By Request). Referred to Committee on  
Business and Industry.

### **THIRD READING OF BILLS**

The following bills having been read three several times, title and his-  
tory agreed to, were disposed of in the following manner:



House Bill No. 63 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Courtney.

Total 2

House Bill No. 371 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Teague, Tower, Tropila, Turner, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 82

Noes: Gould, Nathe, Pistoria, Smith, Staigmiller, Stobie, Uhde, Underdal, Vinger.

Total 9

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Colburn, Courtney, Curtiss, Lien, Roth.

Total 6

House Bill No. 396 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South,



Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 94

Noes: None.  
Total 0

Excused: Ellerd, Menahan, Moore.  
Total 3

Absent or not voting: Aageson, Courtney, Roth.  
Total 3

House Bill No. 437 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 85

Noes: Ellison, Feda, Gould, Hand, McLane, Smith, Stobie, Underdal, Vinger.  
Total 9

Excused: Ellerd, Menahan, Moore.  
Total 3

Absent or not voting: Aageson, Courtney, Kessler.  
Total 3

House Bill No. 451 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.  
Total 91

Noes: Harper, Wyrick.  
Total 2

Excused: Ellerd, Menahan, Moore.  
Total 3

Absent or not voting: Aageson, Courtney, Porter, Scully.  
Total 4

House Bill No. 523 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: McLane.

Total 1

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Ageson, Courtney, Ellison.

Total 3

House Bill No. 565 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Ageson, Courtney.

Total 2

House Bill No. 577 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Frates, Harper, Kessler, Robbins, Waldron.

Total 5

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Courtney, Davis.

Total 3

House Bill No. 587 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Cox, Curtiss, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Severson, Sheldon, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 78

Noes: Dassinger, Ellison, Frates, Holmes, Jensen, Kenny, Lory, Mular, Palmer, Roth, Ryan, Scully, Seifert, Sivertsen, Underdal.

Total 15

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Burnett, Courtney, Mr. Speaker.

Total 4

House Bill No. 669 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Nathe.

Total 1

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Courtney.

Total 2

House Bill No. 694 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss,



Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 92

Noes: None.

Total 0

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Courtney, Ellison, Fabrega, Quilici.

Total 5

House Bill No. 764 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 94

Noes: None.

Total 0

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Courtney, Harrington.

Total 3

House Joint Resolution No. 30 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lory, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.  
Total 71

Noes: Burnett, Davis, Ellison, Ernst, Kenny, Keyser, Kropp, Kvaalen, Lien, McLane, Meyer, Porter, Seifert, Severson, Smith, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 21



Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Bardanouve, Bertelsen, Courtney, E. Gunderson.

Total 5

House Joint Resolution No. 41 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmill, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wyrick.

Total 79

Noes: Bardanouve, Bertelsen, Cooney, Estenson, Harper, Kanduch, Kessler, Lory, Ramirez, Roth, Stobie, Vincent, Wood.

Total 13

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Courtney, Ellis, Holmes, Mr. Speaker.

Total 5

Senate Amendments to House Bill No. 185 were concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmill, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Cox, J. Gunderson, Kvaalen, O'Connell, Waldron.

Total 5

Excused: Ellerd, Menahan, Moore.

Total 3

Absent or not voting: Aageson, Bardanouve, Burnett, Courtney, Davis, Gerke, Stobie.

Total 7

## REPORTS OF STANDING COMMITTEES

TAXATION (Huennekens, Chairman):

2/24/77

HB 191, do not pass.

PUBLIC HEALTH, WELFARE AND SAFETY

(Holmes, Vice-Chairman):

2/23/77

HB 300, introduced copy, be amended as follows:

1. Amend title, line 6

Following: "sections"

Insert: "66-3701, 66-3705,"

2. Amend page 1.

Following: line 9

Insert: "Section 1. Section 66-3701, R.C.M. 1947, is amended to read as follows:

'66-3701. Definitions. As used in this act unless the context clearly requires otherwise:

(1) "Board" means the board of radiologic technologists created by this act.

(2) "License" means an authorization, to apply X-ray radiation to persons, issued by the department of professional and occupational licensing.

(3) "Department" means the department of professional and occupational licensing.

(4) "Licensed practitioner" means a person licensed or otherwise authorized by law to practice medicine, dentistry, dental hygiene, podiatry, chiropody, osteopathy, or chiropractic.

(5) "Permit" means an authorization which may be granted by the board, to apply X-ray radiation to persons when the applicant's qualifications do not meet standards required for the issuance of a license.

(6) "Radiologic technologist" means a person other than a licensed practitioner who applies diagnostic X-ray radiation to persons.'

Section 2. Section 66-3705, R.C.M. 1947, is amended to read as follows:

'66-3705. Applicants — qualifications. (1) Each applicant for licensure as a radiologic technologist other than those qualifying under 66-3708 or 66-3708.1 shall: (1) have satisfactorily completed a 24-month course of study in radiologic technology approved by the board(,).

(2) Each applicant for licensure as a radiologic technologist including those qualifying under 66-3708 or 66-3708.1 shall:

((2))(a) be of good moral character;

((3))(b) be at least eighteen (18) years of age; and

((4))(c) not be addicted to intemperate use of alcohol or narcotic drugs."

Renumber: all subsequent sections

4. Amend page 3, section 3, line 8.

Following: "satisfaction of"

Insert: "a physician specializing in radiology approved by"

5. Amend pages 4 through 5, lines 16 through 25 on page 4 and lines 1 through 7 on page 5.

Following: "if(,)"

Strike: page 4 through line 7 on page 5.

Insert: "the applicant has been employed as a radiologic technologist for at least 5 of the 6 years immediately preceding October 9, 1976."

6. Amend page 5, section 4, line 9.

Following: "than"

Strike: "April 1"

Insert: "October 9"

7. Amend page 5.

Following: line 9

Insert: "Section 7. There is a new R.C.M. section numbered 66-3708.1 that reads as follows:

66-3708.1. Licensure by demonstration of proficiency. (1) The board shall issue a license to an applicant if:

(a) he has been employed as a radiologic technologist for at least 2 of the 3 years immediately preceding October 9, 1976, and can demonstrate proficiency by practical examination;

(b) he is a student engaged in a course of X-ray technology on October 9, 1976, subsequently completes the course, and can demonstrate proficiency to the satisfaction of the board; or

(c) he has successfully completed a 24-month course in X-ray technology within 2 years immediately preceding October 9, 1976, and can demonstrate proficiency to the satisfaction of the board.

(2) Applications for licensure under subsections (1)(a) and (1)(c) of this section must be submitted to the board no later than October 9, 1977."

Renumber: subsequent sections

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 301, introduced copy, be amended as follows:

1. Amend title, lines 6 and 7.

Following: line 5

Strike: "the production of livestock or other agricultural commodities"

Insert: "food animal medicine"

2. Amend page 1, section 1, lines 22 and 23.

Following: "who"

Strike: "derives a portion of his income from the production of livestock or other agricultural commodities"

Insert: "is engaged in food animal medicine"

3. Amend page 2, section 1, lines 1 and 2.

Following: "(demonstrated)"

Strike: "remainder from citizens demonstrating"

Insert: "other members not holding such qualifications shall have demonstrated"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 387, do not pass.

HB 594, introduced bill, be amended as follows:

1. Amend title, line 6.

Following: "illness"

Strike: ", alcoholism, or drug addiction"

2. Amend page 1, section 2, lines 20 and 21.

Following: "illness"

Strike: ", alcoholism, and drug addiction"

3. Amend page 2, section 2, line 1.

Following: "illness"

Strike: ", alcoholism, or drug addiction"

4. Amend page 2, section 3, lines 6 and 7.

Following: "illness"

Strike: ", alcoholism, and drug addiction"

5. Amend page 2, section 3, lines 11 and 12.

Following: "illness"

Strike: ", alcoholism, or drug addiction"

6. Amend page 2, section 4, lines 17 and 18.

Following: "illness"

Strike: ", alcoholism, and drug addiction"

7. Amend page 2, section 4, lines 22 and 23.

Following: "illness"

Strike: ", alcoholism, or drug addiction"

And as amended, do not pass.

HB 730, introduced bill, be amended as follows:

1. Amend pages 1 and 2, section 1, lines 23 through 25 on page 1 and lines 1 through 2 on page 2.

Following: "standards"

Strike: "may not be less than the standards adopted by the state fire marshal for one- and two-family dwellings in the case of foster homes or for lodging or rooming houses in the case of group homes"

Insert: "must be approved by the state fire marshal"

2. Amend page 2, section 1, line 4.

Following: "of"

Strike: "11-7202.1"

Insert: "11-2702.1"

Following: "and"

Strike: "11-7202.2"

Insert: "11-2702.2"

3. Amend page 3.

Following: line 20

Insert: "Section 5. Temporary license. Nothing in this act precludes the department of social and rehabilitation services from issuing or renewing a temporary license to operate a foster or group home if the inspections required under (sections 2 and 4)\* are not performed within 30 days of a written request from the department of social and rehabilitation services, which license is effective for 60 days or until such inspection is made, whichever occurs first."

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 756, introduced bill, be amended as follows:

1. Amend title, page 1, line 5.

Following: "of"

Strike: "supplementary payments and"

2. Amend title, page 1, line 7.

Following: "services;"

Strike: "amending section 71-210.3, R.C.M. 1947"

Insert: "creating a revolving contingency fund"

3. Amend page 1, line 10 through page 2, line 11.

Following: line 9 on page 1

Strike: section 1 in its entirety

Renumber: subsequent sections



4. Amend page 2, section 2, line 16.

Following: "payments"

Insert: "or the providers of health care services to such recipients"

5. Amend page 2, section 2, line 17.

Following: "month"

Insert: "following the month"

6. Amend page 2, section 2, line 18.

Following: line 17

Strike: "they are entitled to the payments"

Insert: "such payment is billed"

7. Amend page 2, section 3, line 24.

Following: "recipient"

Insert: "or the health care provider"

8. Amend page 3.

Following: line 7

Insert: "Section 3. Contingency account. (1) There is a contingency account within the revolving fund for the use of the department of social and rehabilitation services.

(2) The monies in the account may be used to make substitute payments to recipients of supplementary payments and medical assistance upon notification to the department that the payment is delinquent.

(3) No recipient may receive a substitute payment as prescribed in subsection (2) until he enters into an agreement with the department that he will reimburse the department upon receipt of his regular payment.

(4) Upon receipt of such reimbursement, the department shall deposit it in the contingency account."

And as amended, do pass. Report adopted.

HJR 74, introduced bill, be amended as follows:

1. Amend page 1, line 14.

Following: "rigid"

Insert: "in that only medical needs are considered"

And as amended, do pass. Report adopted.

### MOTIONS

Meloy moved that the rules be suspended and that the following bills be placed on Second Reading today: HB 114, HB 350, HB 360, HB 457, HB 622, HB 640, HB 663, HB 724, HB 805, HB 809, HJR 73, HJR 77, HJR 78, HJR 83, and HJR 85. Motion carried.

Conroy moved that the House reconsider its action taken yesterday in failing to pass HB 482 and that it be referred to Second Reading. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 213 do pass. (61-38)

Ellerd present at this time.

That HB 297 be amended as follows:

1. Amend page 1, section 1, line 12.

Following: "Sessions."

Insert: "(1)"

2. Amend page 1, section 1, line 14.

Following: "(days)"

Strike: "be a continuous body for 2-year periods beginning when newly elected members take office. Any business, bill, or resolution pending at adjournment of a session shall carry over with the same status to any other session of the legislature during the biennium. The legislature shall meet at least once a year in regular session of not more than 60 legislative days. Any legislature may increase the limit on the length of any subsequent session."

Insert: "meet each odd-numbered year in a regular session of not more than 30 legislative days. Any bill or resolution may be introduced and assigned to committee during odd-numbered years. Only appropriation bills, such revenue bills and bills for the support of the public schools as are essential to formulation of the budget, and emergency bills or resolutions may be considered by the legislature, transmitted to the other house, or otherwise acted upon. Emergency bills or resolutions may be considered and transmitted in odd-numbered years upon written certification by the sponsor and two-thirds of the members of a committee to which the bill or resolution is assigned, that delay of consideration of the bill or resolution until the following session would be seriously detrimental to the citizens of the state of Montana.

(2) The legislature shall meet each even-numbered year in regular sessions of not more than 60 legislative days. Any bill or resolution introduced in the previous session shall be placed for consideration before the legislature and may be transmitted or otherwise acted upon. Only appropriation bills, such revenue bills and bills for the support of the public schools as are essential to formulation of the budget, and emergency bills or resolutions may be introduced in even-numbered years. Emergency bills or resolutions may be introduced by a committee upon written certification by two-thirds of the members of the committee that delay in introduction would be seriously detrimental to the citizens of the state of Montana.

(3)" (69-21)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted. (66-33)

That the committee rise and report and beg leave to sit again. (Kvaalen, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker on adjournment, 2/24/77 - SB 35.

NATURAL RESOURCES (Shelden, Chairman):

2/23/73

HB 661, introduced copy, be amended as follows:

2/23/77

1. Amend title, line 10.

Following: "sections"

Insert: "70-802,"

Following: "70-811,"

Insert: "70-815,"

2. Amend title, line 12.

Following: "1947"

Insert: "; and providing an appropriation"

3. Amend page 1.

Following: line 14

Insert: "Section 1. Section 70-802, R.C.M. 1947, is amended to read as follows:

"70-802. Policy and legislative findings. (1) It is the constitutionally declared policy of this state to maintain and improve a clean and healthful environment for present and future generations; to protect the environmental life support system from degradation and prevent unreasonable depletion and degradation of natural resources; and to provide for administration and enforcement to attain these objectives.

(2) The legislature finds that the construction of additional (power or) energy conversion or certain industrial facilities may be necessary to meet the increasing need for electricity, energy, and other products, and that these facilities have an effect on the environment, an impact on population concentration, and an effect on the welfare of the citizens of this state. Therefore, it is necessary to ensure that the location, construction and operation of (power and) energy conversion and certain industrial facilities will produce minimal adverse effects on the environment and upon the citizens of this state by providing that (a power or) an energy conversion or certain industrial facility may not be constructed or operated within this state without (a) the appropriate certificate (of environmental compatibility and public need) acquired pursuant to this chapter."

Renumber: subsequent sections

4. Amend page 2, section 1, line 1.

Following: "facilities"

Strike: ", except for oil and gas refineries"

5. Amend page 3, section 1, line 9.

Following: "a"

Insert: "utility"

6. Amend page 3, section 1, line 15.

Following: "coal"

Strike: ",,"

Insert: ".,,"

7. Amend page 3, section 1.

Following: line 15

Insert: "(f) any industrial facility with a construction cost of at least \$25 million which processes, smelts, reduces, refines, or manufactures any natural resource for sale or commercial use."

8. Amend page 5, section 1, line 11.

Following: "compatibility (and)"

Strike: "or certificate of"

Insert: "and"

9. Amend page 5, section 1, lines 12 and 13.

Following: "compatibility"

Strike: "and public need"

10. Amend page 5, section 1, line 21.

Following: "means"

Strike: lines 21 through 24 in their entirety

Insert: "the demand within Montana of the energy form to be produced by the proposed utility facility as defined in 70-803 (3)(a), (3)(c), and (3)(d) with the following conditions:

(a) 20% or less of the electricity or synthetic pipe-line gas produced by the proposed utility facility over a period extending through the 20th year from the date of the application may be sold outside the state; provided, however, that an occasional or emergency sale outside the state may be made in addition to the limitation of this paragraph;

(b) if a utility sells 20% or more of its average annual sales of the electricity or synthetic pipe-line gas to be produced by the proposed facility to customers within the state of Montana, then the demand for this energy form from the utility's entire service area is included as demand within Montana.

(14) "Natural resource" means any metalliferous or nonmetalliferous mineral products, or combination or compound of such products, but does not mean timber or any products thereof."

11. Amend page 6, section 2, line 7.

Following: "certificate"

Strike: "or certificates"

12. Amend page 7, section 2, line 8.

Following: "(a) a certificate of"

Strike: "public need and a certificate of"

13. Amend page 7, section 2, line 9.

Following: "compatibility"

Insert: "and public need"

14. Amend page 7, section 2, line 10.

Following: "(3)(a)"

Insert: "(3)(b), (3)(c),"

15. Amend page 7, section 2, line 12.

Following: "(3)(d),"

Strike: "and"

Following: "(3)(e),"

Insert: "and (3)(f),"

16. Amend page 7, section 2, subsection (c), lines 14 through 16.

Strike: subsection (c) in its entirety

17. Amend page 8, section 3, line 11.

Following: "facilities"

Insert: "and any other industrial facility under this act"

18. Amend pages 9 and 10, section 4, line 1 on page 9 through line 3 on page 10.

Following: "of"



Strike: line 1 on page 9 through line 3 on page 10 in their entirety

Insert: "...environmental compatibility and public need in such form as the board by rule or the department by order prescribes, containing the following information:

(a) a description of the location and of the facility to be built thereon;

(b) a summary of any studies which have been made of the environmental impact of the facility;

(c) a statement explaining the need for the facility;

(d) a description of any reasonable alternative location or locations for the proposed facility, a description of the comparative merits and detriments of each location submitted, a detailed statement of the merits and detriments of using waste heat produced at each location, and a statement of the reasons why the primary proposed location is best suited for the facility;

(e) an analysis showing the relative cost of constructing and operating the facility at each location, an analysis of the relative cost of transporting energy from each location to ultimate consumers, provided, however, that this information is proprietary and shall be kept confidential; and

(f) such other information as the applicant considers relevant or as the board by rule or the department by order requires. A copy or copies of the studies referred to in subsection (b) above shall be filed with the department if ordered, and shall be available for public inspection."

19. Amend page 10, section 4, line 5.

Following: "(3)(d),"

Strike: "and"

Following: "(3)(e),"

Insert: "and (3)(f),"

20. Amend page 10, section 4, line 8.

Following: "compatibility"

Strike: ","

Insert: "in such form as the board by rule or the department by order prescribes, containing the following information:

(a) a description of the location and of the facility to be built thereon;

(b) a summary of any studies which have been made of the environmental impact of the facility;

(c) a description of any reasonable alternative location or locations for the proposed facility, a description of the comparative merits and detriments of each location submitted, a detailed statement of the merits and detriments of using the waste heat produced at each site location, and a statement of the reasons why the primary proposed location is best suited for the facility;

(d) an analysis showing the relative cost of constructing and operating the facility at each site, an analysis of the relative cost of transporting the product from each site location to the ultimate consumers, provided, however, that this information is proprietary and shall be kept confidential; and

(e) such other information as the applicant considers relevant or as the board by rule or the department by order requires. A copy or copies of the studies referred to in subsection (2)(b) above shall be filed with the department, if ordered, and shall be available for public inspection.

(3)”

Renumber: subsequent subsections

21. Amend page 10, section 4, lines 11 and 12.

Following: “need”

Strike: “. An application filed under this subsection shall be filed”

22. Amend page 10, section 4, line 13.

Following: “order”

Strike: “requires”

Insert: “prescribes”

23. Amend page 10, section 4, lines 21 through 25 on page 10 and lines 1 through 10 on page 11.

Following: “(d)”

Strike: subsection (d)

Insert: “a description of the availability of various alternative technologies that can fulfill the need, including a comparison of the merits and detriments of the various alternatives;

(e) a description of any reasonable alternative location or locations for the proposed facility; a description of the comparative merits and detriments of each location submitted, and a statement of the reasons why the primary proposed location is best suited for the facility; and”

Renumber: subsequent subsections

24. Amend page 11, section 4, line 14.

Following: “subsection”

Strike: “(2)(b)”

Insert: “(3)(b)”

25. Amend page 11, section 4, line 24.

Following: “chapter(. This)”

Insert: “. This”

26. Amend page 11, section 4, line 25 through page 12, line 5.

Following: “(a)” on page 11, line 25

Strike: “for a certificate of public need a fee of \$400,000 for a fee based on one-half of the estimated filing fee under subsection (4)(b), whichever is the lesser;

(b) for a certificate of environmental compatibility and public need or a certificate of environmental compatibility,”

27. Amend page 12, section 4, line 22 through line 2 on page 13.

Following: “chapter” on page 12, line 22

Strike: “with respect to the facility covered by the certificate for a period not to exceed five (5) years after the certificate is issued for facilities defined in 70-803 (3)(b) and (c) or not to exceed ten (10) years after the certificate is issued for facilities defined in 70-803 (3)(a), (d), and (e)”

28. Amend page 13, section 4, lines 6 through 9.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

29. Amend page 15, section 5, lines 10 through 25 and on page 16 lines 1 through 10.

Following: "hearings."

Strike: subsection (1)(a) and (b) in their entirety

Renumber: subsequent subsections

30. Amend page 16, section 5.

Following: line 11

Insert: "70-806(1),"

Following: "70-806(2),"

Insert: "or 70-806(3),"

31. Amend page 16, section 5, line 17.

Following: "(3)(d),"

Strike: "and"

32. Amend page 16, section 5, line 18.

Following: "(3)(e)"

Insert: ", and (3)(f)"

33. Amend page 17, section 5, line 7.

Following: "game,"

Insert: "state lands,"

34. Amend page 17, section 5, line 25.

Following: "under (subsection)"

Strike: "subsections"

Insert: "subsection"

Following: "(1)"

Strike: "and (2)"

35. Amend page 18, section 5, line 2.

Following: "than"

Strike: "one hundred twenty (120)"

Insert: "90"

36. Amend page 18, section 5, line 13.

Following: "25"

Insert: "or more"

37. Amend page 19, section 5, line 10.

Following: "chapter"

Insert: "by following the procedure established in subsection (2)"

38. Amend page 19, section 5, line 11.

Following: "Any"

Strike: "party"

Insert: "person may become a party by filing within 60 days of the department's report to the board pursuant to 70-807(1), a written designation setting forth his name, address, home and business phones, and position towards the proposed facility and by participating orally at the hearing."

39. Amend page 19, section 5, line 12.

Following: "(section)"

Insert: "A person"

40. Amend page 19, section 5, line 13.

Following: "not"

Insert: "file the written designation and"

41. Amend page 21, section 8, line 2.

Following: "time"

Insert: “, not to exceed 30 days at a time,”

42. Amend page 21, section 8, line 7.

Following: “(a)”

Strike: “the basis of the”

Insert: “whether there is a”

43. Amend page 21, section 8, line 13.

Following: “(d)”

Insert: “that”

Following: “the”

Insert: “pertinent”

Following: “70-816”

Insert: “are satisfied”

44. Amend page 22, section 8, line 15 through line 19 on page 23.

Following: “(3)”

Strike: subsections (3) and (4) in their entirety

Insert: “The board may not grant a certificate of environmental compatibility for a facility other than a utility facility either as proposed by the applicant or as modified by the board unless it finds and determines that all the conditions listed in 70-810(2) have been met, except that the need for the facility is not a requirement.”

Re-number: subsequent subsections

45. Amend page 24, section 8.

Following: line 15

Insert: “(7) Within 90 days after the board receives any data or information from the applicant submitted pursuant to any conditions in a certificate under this subsection, the board shall take any action necessary on the data and information submitted by the applicant.”

46. Amend page 25, section 9, lines 3 through 16.

Strike: subsection (2) in its entirety

Re-number: subsequent subsections

47. Amend page 25, section 9, line 17.

Following: “(Any certificate)”

Strike: “All other certificates”

Insert: “Any certificate”

48. Amend page 26, section 9, subsection (v), lines 4 through 5.

Strike: subsection (v) in its entirety

49. Amend page 26, section 9, line 16.

Following: “of”

Insert: “environmental compatibility and”

50. Amend page 27, section 9.

Following: line 6

Insert: “Section 10. Section 70-815, R.C.M. 1947, is amended to read as follows:

‘70-815. Study of planned facilities included in annual long-range report. (1) If a utility or person lists and identifies a proposed facility in its plan, submitted pursuant to section 70-814, as one on which construction is proposed to be commenced within the five (5) year period following submission of the plan, the department shall commence examination and evaluation of the proposed site to determine whether construction of the proposed facility would unduly impair the environmental values in section 70-816. This



study may be continued until such time as a person files an application for a certificate under section 70-806. Information gathered under this section may be used to support findings and recommendations required for issuance of a certificate.

(2) The department shall review the load growth data and projections submitted in the long-range plans pursuant to 70-814 and shall report on September 1 of each year to the board the department's analysis of the load growth data and projections. The department shall conduct its review of the load growth data and projections in conjunction with each utility submitting a long-range plan pursuant to 70-814."

Renumber: subsequent sections

51. Amend page 27, section 10, line 24 through line 12 on page 28.

Following: "(3)"

Strike: lines 24 on page 27 through 12 on page 28

Insert: "A plan for monitoring the facility shall be submitted for review for adoption or modification by the board as follows:

(a) A plan for monitoring air and water quality shall be prepared by the department of health and environmental sciences in consultation with the department of natural resources and conservation and the applicant;

(b) A plan for monitoring other environmental, social and economic parameters shall be prepared by the department in consultation with the applicant and other affected state agencies. In recommending a monitoring plan as provided in this subsection, the department shall recommend, where appropriate, that the state agency with expertise in the area or discipline described in the plan be responsible for conducting the monitoring.

(4) The monitoring shall be coordinated by the department, and a report on all monitoring activities and results shall be submitted to the board every twelve months.

(5) For facilities defined in 70-803(3)(a), (3)(d), (3)(e) and (3)(f), the monitoring plans provided for in subsection (3) of this section shall be submitted for the board's approval within 6 months after the issuance of a certificate.

(6) For facilities defined in 70-803 (3)(b) and (3)(c), the monitoring plans shall be submitted for the board's approval together with the centerline location of the approved facility within the approved corridor.

(7) The plans approved by the board pursuant to subsection (3) of this section shall be implemented by the applicant and overseen by the appropriate state agencies pursuant to such rules as the board may adopt or by order require."

Renumber: subsequent subsection

52. Amend page 29, section 11, line 17.

Following: "false"

Strike: "or misleading"

53. Amend pages 30 and 31, section 12, lines 25 through 13 on page 31.

Following: "inventory."

Strike: lines 25 through 13 on page 31

Insert: "(1) The department shall propose, and the board shall adopt after a hearing duly noticed as rules:

(a) criteria upon which to establish areas of Montana considered unsuitable for the siting of facilities defined in 70-803(3);

(b) criteria to define the characteristics of preferred sites to guide the site selection of future applicants for facilities defined in 70-803(3); and

(c) maps delineating areas unsuitable for siting of facilities.

(2) The department and the board shall incorporate the following procedures and timetables in the development and adoption of criteria prescribed in subsection (1):

(a) The department shall propose to the board criteria for unsuitable areas and preferred sites described in (1)(a) and (1)(b) above.

(b) By March 31, 1978, the board shall adopt as rules criteria upon which to establish unsuitable areas and preferred sites.

(c) Upon adoption of the criteria as rules, the department shall map the unsuitable areas based on the established criteria. The department shall present the completed map delineating areas unsuitable for siting of facilities to the board for adoption as rules.

(d) The board shall adopt as rules the map delineating unsuitable areas for facilities siting by December 31, 1978.

(e) The department and the board shall submit to the 1979 legislature the criteria, final maps, and siting inventory process, including a description of the public involvement program established in subsection (3).

(3) The department and the board shall establish and implement an intensive public involvement program, particularly ensuring public participation in the development and adoption of criteria and in adoption of the final maps. No rule may be adopted which is contrary to credible evidence on the record of public hearings held hereunder.

(4) The department shall coordinate the siting inventory process with appropriate federal, state, and local agencies.

(5) Following board adoption of the unsuitable area delineation, the department may not accept an application for a certificate within areas designated as unsuitable.

(6) The criteria adopted under this section may be reviewed and amended by the board under the provisions of the Montana administrative procedures act."

54. Amend page 31, section 13, line 2.

Following: "annually"

Insert: ", by September 1 of each year after 1979"

55. Amend page 31, section 13, line 24.

Following: "forecasts"

Insert: "of the department and of the utility"

56. Amend page 31.

Following: line 25

Insert: "Section 15. Appropriation. There is appropriated from the general fund for the biennium ending June 30, 1979, to the department of natural resources and conservation the sum of \$120,000 to be used as follows:

(1) \$60,000 for the biennium for implementation of the siting inventory prescribed in (section 13)\*; and

(2) \$60,000 for the forecasting of demand for energy as prescribed in (section 14)\*."

Renumber: subsequent section

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman): 2/24/77

HB 419, do pass. Report adopted.

HB 690, do not pass.

HB 792, do not pass.

HB 802, do pass. Report adopted.

HB 803, do not pass.

HJR 47, do pass. Report adopted.

House recessed at 12:05 p.m.

House resumed at 1:00 p.m.

Mr. Speaker in the Chair.

### REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Shelden, Chairman):

2/24/77

HB 528, do not pass.

HB 543, without recommendation. Report adopted.

HB 550, do pass. Report adopted.

HB 592, do pass. Report adopted.

HB 740, do not pass.

HB 762, introduced copy, be amended as follows:

1. Amend title, line 5.

Following: "energy"

Insert: "supply alert and"

2. Amend page 1, section 1, line 25.

Following: "energy"

Insert: "supply alert and"

3. Amend page 2, section 2, line 17.

Following: "council"

Insert: ", or its successor in the governor's office"

4. Amend page 3.

Following: line 11

Insert: "Section 4. Energy supply alert — powers of governor. (1) The governor may, upon finding that a situation exists which is likely to threaten the availability of essential services, transportation, or the operation of the economy, declare a state of energy supply alert and set forth reasons therefore.

(2) Whenever the governor has declared an energy supply alert, he may by executive order direct actions:

(a) reducing energy resource usage by state agencies and political subdivisions;

(b) promoting conservation, prevention of waste and salvage of

energy resources and the materials, services, and facilities derived therefrom or dependent thereon, by state agencies and political subdivisions.”

Renumber: subsequent sections

5. Amend page 3, section 4, line 21.

Strike: “supply alert”

Insert: “emergency”

6. Amend page 3, section 4, line 25.

Following: “declaration of the”

Strike: “alert”

Insert: “emergency”

7. Amend page 4, section 4, line 2.

Following: “energy”

Strike: “supply alert”

Insert: “emergency”

8. Amend page 4, section 4, line 4.

Following: “energy”

Strike: “supply alert”

Insert: “emergency”

9. Amend page 4, section 4, line 10.

Following: “energy”

Strike: “supply alert”

Insert: “emergency”

10. Amend page 4, section 4, line 11.

Following: “energy”

Strike: “supply alert”

Insert: “emergency”

11. Amend page 4, section 4, line 16.

Following: “or”

Strike: “extraordinary”

Insert: “special”

12. Amend page 4, section 4, line 17.

Following: “energy”

Strike: “supply alert”

Insert: “emergency”

13. Amend page 5, section 4, line 11.

Following: “energy”

Strike: “supply alert”

Insert: “emergency”

14. Amend page 6, section 8, lines 22 and 23.

Following: “pursuant to”

Strike: “this act”

Insert: “(section 5)”\*

15. Amend page 6, section 8, line 24.

Following: “such order”

Strike: “; provided, that orders”

Insert: “. Orders”

16. Amend page 7.

Following: line 2

Insert: “Section 10. Liability. No person is liable for damages to persons or property resulting from action taken in accordance with



orders or regulations issued pursuant to this act or actions taken pursuant to orders, rules, actions, recommendations, and requests of federal authorities."

Renumber: subsequent sections

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 776, do not pass.

JUDICIARY (Scully, Chairman):

HB 486, do not pass. 2/24/77

HB 574, do not pass. 2/23/77

HB 639, do not pass. 2/24/77

HB 664, introduced bill, be amended as follows: 2/23/77

1. Amend title, line 7.

Following: "89-875,"

Insert: "89-877,"

Following: "89-892,"

Strike: "and"

2. Amend title, line 8.

Following: "89-8-100,"

Insert: "and 89-8-107,"

3. Amend title, line 10.

Following: "decrees;"

Insert: "to clarify the findings to be made by the court in the final decree;"

4. Amend title, line 21.

Following: "appropriators;"

Strike: "and"

5. Amend title, line 23.

Following: "board"

Insert: "; and to allow the United States to apply for reservations of water"

6. Amend page 5.

Following: line 9

Insert: "Section 3. Section 89-877, R.C.M. 1947, is amended to read as follows:

'89-877. Final decree. (1) The court shall, on the basis of the preliminary decree and on the basis of any hearing that may have been held, enter a final decree affirming or modifying the preliminary decree. If no request for a hearing is filed within the time allowed, the preliminary decree automatically becomes final, and the court shall enter it as the final decree.

(2) The final decree shall establish the existing rights and priorities of the persons named in the petition, for the source or area under consideration.

(3) The final decree shall state the findings of fact, along with any conclusions of law, upon which the existing rights and priorities of each person named in the decree are based.

(4) For each person who is found to have an existing right, the final decree shall state:

- (a) the name and post-office address of the owner of the right;
  - (b) the amount of water, rate and volume, included in the right;
  - (c) the date of priority of the right;
  - (d) the purpose for which the water included in the right is used;
  - (e) the place of use and a description of the land to which the right is appurtenant;
  - (f) the source of the water included in the right;
  - (g) the place and means of diversion;
  - (h) the approximate time during which the water is used each year;
  - (i) any other information necessary to fully define the nature and extent of the right.
- (5) The final decree in each existing right determination is final and conclusive as to all existing rights in the source or area under consideration. After the final decree there shall be no existing rights to water in the area or source under consideration except as stated in the decree.”

Renumber: Subsequent sections

7. Amend page 6, section 3, subsection (2), line 10.

Following: “to”

Strike: “6”

Insert: “18”

8. Amend page 6, section 3, subsection (2), line 13.

Following: “within”

Strike: “6”

Insert: “18”

9. Amend page 9, line 1.

Following: “(days)”

Insert: “not more than 60 days”

10. Amend page 14.

Following: line 13

Insert: “Section 10. Section 89-8-107, R.C.M. 1947, is amended to read as follows:

‘89-8-107. Reservations. The department may apply for reservations and shall, as rapidly as possible, assist other appropriate state agencies and political subdivisions in applying for reservations within the basin. (The United States or any agency thereof may not apply for a reservation of water in the basin under section 89-890, R.C.M. 1947, until the requirements of section 3 (89-8-105)\* of this act are met.) Particular emphasis shall be given to applications to reserve water for agricultural, municipal, and minimum flow purposes for the protection of existing rights and aquatic life.”

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 738, do pass. Report adopted.

2/24/77

HB 739, do not pass.

2/24/77

HB 761, introduced bill, be amended as follows: 2/22/77

1. Amend page 3, section 5.

Following: line 18

Insert: "(3) This act does not affect any plan established under the Taft Hartley Act or Montana collective bargaining laws under which prepaid legal services or reimbursements therefor are furnished."

And as amended, do pass. Report adopted.

HB 795, do pass. Report adopted. 2/24/77

TAXATION (Huennekens, Chairman): 2/24/77

HB 85, do pass. Report adopted.

HB 281, do not pass.

HB 706, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman): 2/24/77

HB 659, introduced bill, be amended as follows:

1. Amend title, line 5.

Following: "municipalities"

Insert: "of the first or second class"

2. Amend page 1, section 1, line 13.

Following: "agency"

Insert: "of a first or second class municipality"

And as amended, do pass. Report adopted.

HB 700, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 20.

Following: "review"

Insert: "and approval"

2. Amend page 8, section 4, line 18.

Following: "department"

Insert: "of labor and industry"

And as amended, do pass. Report adopted.

HB 815, introduced bill, be amended as follows:

1. Amend page 2, section 1, lines 1 and 2.

Following: "system,"

Strike: "either during his period of absence or"

2. Amend page 2, section 1, lines 13 and 14.

Following: "section"

Strike: "and the necessary forms upon his return to service"

Insert: "which shall be signed by the employee and returned to the employer, who shall provide a copy to the board"

And as amended, do pass. Report adopted.

Objection raised by Halvorson on 2/24/77 on adverse committee report on HB 281. Referred to Second Reading.

### MOTIONS

Meloy moved that HJR 25 be rereferred from the Committee on Rules to Second Reading. Motion carried.

Meloy moved that the House reconsider its action in adopting the adverse committee report on HB 466. Motion carried.

Meloy moved that HB 534 be rereferred from the Committee on Rules to Third Reading tomorrow. Motion carried.

Kimble moved that HB 350 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

Meloy moved that HB 346 be passed for the day. Motion carried.

Aageson present at this time.

### REPORTS OF STANDING COMMITTEES

EDUCATION (Dussault, Chairman):

2/24/77

HB 816, introduced bill, be amended as follows:

1. Amend page 5, section 1, subsection (8), line 1.

Following: "(8)"

Strike: "Seriously emotionally disturbed and behaviorally"

Insert: "Behaviorally"

2. Amend page 6, section 1, subsection (11), line 23.

Following: "Speech"

Strike: "."

Insert: "/language"

3. Amend page 6, section 1, subsection (11), line 24.

Following: "articulation,"

Strike: "or"

Insert: "a"

4. Amend page 7, section 1, subsection (11), line 1.

Following: line 25, page 6.

Insert: "interpersonal relationships or"

5. Amend page 7, section 2, subsection (1)(c), line 22.

Following: "and"

Insert: "use of instructional teams to"

6. Amend page 7, section 2, subsection (1)(e), line 25 through line 2 on page 8.

Following: "to"

Strike: "regulate eligibility for enrollment, class size, grouping, curriculum, equipment purchases, and other special services"

Insert: "assure a full and appropriate public education"

7. Amend page 9, section 3, subsection (8), line 17.

Following: "are"

Strike: "established or"

8. Amend page 11, section 4, subsection (1)(a), line 2.

Following: "not"

Insert: "adequately"

9. Amend page 13, section 6, subsection (1), line 9.

Following: line 8

Strike: "21"

Insert: "18"

10. Amend page 14, section 7, subsection (2), line 25, through line 1 on page 15.

Following: "children"

Strike: "under the age of 6 years of age"

Insert: "ages 3 through 5 and after September 1, 1980, children ages 0 through 2 may be provided service"



11. Amend page 15, section 8.

Following: line 24.

Insert: "(3) Prior to September 1, 1980, programs may be established for handicapped persons between the ages of 18 and 21 inclusive when the superintendent of public instruction and the trustees have determined that such programs will contribute to the educational development of those persons.

(4) When an agency which has responsibility for a handicapped person over 21 but not more than 25, inclusive, cannot provide appropriate services to that person, the agency may contract with the local school district to provide such services.

The monies received by the local district through such contracted services would reduce the special education foundation monies accordingly."

12. Amend page 17, section 9, line 4.

Following: "residence."

Insert: "However, tuition as required under 75-6320 may be charged for children who are not considered full-time special education pupils as defined in 75-6902."

13. Amend page 17, section 10, line 18.

Following: "approved"

Insert: "by the superintendent of public instruction"

14. Amend page 19, section 12.

Following: line 7

Insert: "No special education class shall be operated by the trustees without the approval of the superintendent of public instruction."

15. Amend page 21, section 13, subsection (1)(b)(A), line 20.

Following: "by"

Strike: "nonprofit"

Insert: "public or private"

16. Amend page 22, section 13, subsection (C), lines 7 and 8.

Strike: lines 7 and 8 in their entirety

17. Amend page 25, section 13, subsection (1)(j), line 13.

Following: "outlay;"

Strike: "sites, buildings,"

18. Amend page 25, section 13.

Following: line 21

Insert: "(iii) special equipment for school buses necessary to accommodate special students—the actual total cost."

Renumber: subsequent subsection

19. Amend page 26, section 13, subsection (2), lines 12 and 13.

Following: "to"

Strike: "the time when a district must have prepared its budget for the 1977-1978 year"

Insert: "September 1, 1977"

20. Amend page 27, section 14, line 22.

Following: "transportation"

Insert: "which shall be provided by the resident district"

And as amended, do pass. Report adopted.

HJR 84, do pass. Report adopted.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 307 be passed for the day.

That HB 331 be amended as follows:

1. Amend title, page 1, line 8.

Following: "cause"

Strike: "or"

Insert: ", "

Following: "misconduct"

Insert: "or for refusing suitable work"

2. Amend page 2, section 1, line 11.

Following: "Until"

Strike: "8"

Insert: "6"

3. Amend page 2, section 1, line 12.

Following: "with"

Strike: "8"

Insert: "6"

4. Amend page 3, section 1, line 14.

Following: "Until"

Strike: "10"

Insert: "8"

5. Amend page 3, section 1, line 15.

Following: "with"

Strike: "10"

Insert: "8"

6. Amend page 4, line 9.

Following: "for"

Insert: "the week in which such failure occurred and"

7. Amend page 4, lines 13 through 16.

Following: "(case.)"

Strike: "6 weeks beginning with the week of occurrence, with 6 weeks' reduction of benefit duration, as determined by the division"

Insert: "until he has performed services, other than self employment, for which remuneration is received equal to or in excess of his weekly benefit amount in 6 separate weeks subsequent to the date the act causing the disqualification occurred, with 6 weeks' reduction in benefit duration, as determined by the division, provided he has not left this work under disqualifying circumstances" (87-4)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (76-17)

That HB 487 do pass. (86-4)

That HB 679 be amended as follows:

1. Amend page 7, section 6, line 22.

Following: "utilities"

Strike: ", and"

Insert: "."

2. Amend page 7, section 6.

Following: line 22

Strike: line 23 in its entirety

Insert: "Any energy supplier operating within the boundaries of a district shall be extended the right to purchase energy produced by the district before such energy is offered for sale to any other individual. The sale of energy or sale of an energy facility may not be made in any manner which violates the provisions of Title 70, chapter 5." (87-1)

And as amended, do not pass. (53-42)

Menahan present at this time.

That HB 709 do pass. (90-0)

That HB 711 be passed for the day.

That HB 736 do pass. (93-0)

That HB 793 do not pass. (54-39)

That HB 804 do pass. (89-3) Keyser abstained, conflict of interest.

That HJR 35 do pass. (80-8)

That HJR 67 do pass. (76-9)

That HJR 75 do pass. (89-1)

That HJR 76 do pass. (93-0)

That HJR 82 do pass. (71-20)

That HB 146 be amended as follows:

1. Amend page 6, section 1, line 6.

Following: "dollars (\$"

Strike: ",000"

Insert: "1,200" (72-14)

And as amended, do not pass. (65-30)

That HB 293 be amended as follows:

1. Amend page 2, section 1, line 13.

Following: "(5)"

Strike: "An"

Insert: "Effective July 1, 1971 through June 30, 1977 an"

2. Amend page 2, section 1, line 15.

Following: "((1/4))"

Strike: "one-half"

Insert: "one-fourth"

3. Amend page 2, section 1, line 16.

Following: "accumulated sick leave."

Insert: "Effective July 1, 1977 an employee who terminates employment with the state or of any county or city thereof, is entitled to a lump-sum payment equal to one-half of the pay attributed to the accumulated sick leave."

4. Amend page 2, section 1, line 22.

Following: "(1971)"

Strike: "1977"

Insert: "1971"

5. Amend page 3, section 1, line 1.

Following: "(1971)"

Strike: "1977"

Insert: "1971"

6. Amend page 3, section 1, line 6.

Following: "(1971)"

Strike: "1977"

Insert: "1971" (78-2)

(Material in parentheses denotes cancelled type.)

And as amended, do not pass. (62-29)

That HB 334 be passed for the day.

That HB 343 be amended as follows:

1. Amend page 1, section 1, line 19.

Following: "certain"

Strike: "class" (78-0)

And as amended, be passed for the day.

That HB 370 be passed for the day.

That HB 426 be placed below HB 553 on the Second Reading board.

That HB 438 do pass. (82-4)

That HB 553 and HB 426 be placed below HB 114 on the Second Reading board.

That HB 745 do pass. (87-0)

That HJR 20 be amended as follows:

1. Amend page 3, section 1, line 21.

Following: "participation"

Insert: "by the Salish-Kootenai confederation and"

2. Amend page 4, section 3, line 7.

Following: "government,"

Insert: "including the Salish-Kootenai confederation," (79-0)

And as amended, do pass. (84-2)

That HJR 61 do pass. (81-3)

That HB 114 do not pass. (60-23)

That HB 553 be amended as follows:

1. Amend title, line 7.

Following: "from"



Insert: "one-half of"

Following: "and"

Insert: "all the"

2. Amend title, line 10.

Following: line 9

Strike: "84-6202, and"

Following: "84-6204,"

Insert: "and 84-6208,"

3. Amend page 6, section 4, line 16.

Following: "and must"

Strike: ", except as provided in (section 2)\* of this act"

4. Amend page 6, section 4, line 18.

Following: "statement and"

Insert: ", except as provided in (section 2)\* of this act,"

5. Amend pages 7 and 8.

Following: line 23 on page 7

Strike: section 5 in its entirety

Renumber: subsequent section

6. Amend page 10.

Following: line 21

Insert: "Section 6. Section 84-6208, R.C.M. 1947, is amended to read as follows:

'84-6208. County assessors to compute taxes. Immediately after the county board of commissioners has fixed tax levies on the second Monday in August, the county assessor shall compute the taxes on such net proceeds, except as provided in (section 2)\* of this act, and royalty assessments, and shall deliver the book to the county treasurer on or before the fifteenth day of September. The county treasurer shall proceed to give full notice thereof to such operator and to collect the same in manner provided by law.

The operator or producer shall be liable for the payment of said taxes and same shall be payable by and shall be collected from such operators in the same manner and under the same penalties as provided for the collection of taxes upon net proceeds of mines; provided, however, that the operator may, at his option, withhold from the proceeds of royalty interest, either in kind or in money, an estimated amount of the tax to be paid by him upon such royalty or royalty interest, after such withholding any deviation between the estimated tax and the actual tax may be accounted for by adjusting subsequent withholdings from the proceeds of royalty interests." (86-0)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. (78-16)

That the committee rise and report and beg leave to sit again. (Kvaalen, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

Objection raised by Ramirez on 2/24/77 on adverse committee report on HB 803. Referred to Second Reading.

RULES (Meloy, Chairman):

2/24/77

HB 534, does not decrease revenues and therefore may be placed on third reading. Report adopted.

HB 808, do pass. Report adopted.

HJR 25, the amendments to HJR 25 are within the scope of the title.  
Report adopted.

HJR 87, do not pass.

TAXATION (Huennekens, Chairman):

HB 231, do not pass.

2/24/77

HB 516, do pass. Report adopted.

2/23/77

HB 583, introduced bill, be amended as follows:

2/23/77

1. Amend page 2, section 1, line 9.

Following: "earned"

Insert: "and is for the privilege of carrying on business in this state  
for the year in which the income was earned"

And as amended, do pass. Report adopted.

HB 595, second reading bill,  
be amended as follows:

2/23/77

1. Amend page 2, section 1, line 4.

Following: line 3

Strike: "increments"

Insert: "increment"

2. Amend page 3, section 1, line 6.

Following: "resolution"

Insert: ", ordinance,"

3. Amend page 3, section 1, line 7.

Following: "mortgage"

Strike: "issued"

Insert: "authorized"

4. Amend page 4, section 1, line 13.

Following: "which"

Insert: "a"

Following: "tax"

Strike: "increments"

Insert: "increment"

5. Amend page 4, section 1, line 14.

Following: line 13

Strike: "are"

Insert: "is"

6. Amend page 4, section 1, line 15.

Following: "shall"

Insert: "be designed to"

7. Amend page 4, section 1, line 17.

Following: "year"

Strike: "does"

Insert: "shall"

Following: "exceed the"

Insert: "estimated"

Following: "tax"

Strike: "increments"

Insert: "increment"

8. Amend page 4, section 1, line 18.

Following: "other"

Insert: "estimated"

9. Amend page 4, section 1, line 20.

Following: "year"

Strike: "as estimated by the"

Insert: ". The"

10. Amend page 4, section 1, line 21.

Following: "resolution"

Insert: "or ordinance"

Following: "bonds"

Insert: "shall determine the estimated tax increment and other revenues, if any, for each year the bonds are to be outstanding"

11. Amend page 4, section 1, line 24.

Following: "tax"

Strike: "increments"

Insert: "increment"

12. Amend page 4, section 1, line 25.

Following: "thereof"

Insert: ", and to fund any reserve fund in respect of the bonds"

13. Amend page 5, section 2, line 13.

Following: "section"

Insert: ", except that taxes for the payment of all bonds of each taxing body must be levied against all taxable property within the taxing body without limitation by the provisions of this section"

14. Amend page 8, section 2.

Following: line 8

Insert: "(e) 'Tax increment provision' means a provision for the segregation and application of tax increment as authorized by this section."

Renumber: subsequent subsections

15. Amend page 8, section 2, line 11.

Following: "county,"

Insert: "school district,"

16. Amend page 8, section 2, line 13.

Following: "state"

Insert: ", including the state,"

17. Amend page 8, section 2, line 16.

Following: "of"

Strike: "the"

Insert: "each"

18. Amend page 8, section 2, line 17.

Following: "thereto"

Strike: "setting forth the provision for the segregation and application of tax increments"

Insert: "containing a tax increment provision"

19. Amend page 8, section 2, line 20.

Following: "property"

Strike: "of taxing bodies"

20. Amend page 8, section 2, line 21.

Following: line 20

Strike: "which"

Following: "or"

Strike: "a"

Insert: "any"

Following: "thereof"

Strike: "is located"

21. Amend page 8, section 2, line 23.

Following: "clerk"

Insert: "or other appropriate officer"

Following: "of"

Strike: "all"

Insert: "each of"

22. Amend page 9, section 2, lines 2 and 3.

Following: "of the"

Insert: "tax increment"

Following: "provision"

Strike: "for the segregation and application of tax increments"

Insert: "and each year thereafter"

23. Amend page 9, section 2, line 3.

Following: "and"

Strike: "certify"

Insert: "report"

Following: "to"

Strike: "each"

Insert: "the municipality and to any other"

24. Amend page 9, section 2, line 4.

Following: "original"

Insert: ", actual, and incremental"

25. Amend page 9, section 2, lines 5 through 8.

Following: "property."

Strike: lines 5 through 8 in their entirety

26. Amend page 9, section 2, lines 10 and 11.

Following: "of the"

Insert: "tax increment"

Following: "provision"

Strike: "for the segregation and application of tax increments"

27. Amend page 9, section 2, line 16.

Following: "be"

Strike: "extended"

Insert: "levied"

28. Amend page 9, section 2, lines 17 and 18.

Following: "of the"

Insert: "actual"

Following: "value"

Strike: ", as shown by the last equalized assessment roll,"

29. Amend page 9, section 2, line 18.

Following: "located"

Insert: "within as well as"

30. Amend page 9, section 2, lines 19, 20, and 21.

Following: "area"

Strike: "and the actual taxable value of all taxable property located within the urban renewal area"

31. Amend page 9, section 2, line 22.

Following: "the"

Strike: "extension"



Insert: "levy"

32. Amend page 9, section 2, line 23.

Following: "value"

Insert: "within the urban renewal area"

33. Amend page 9, section 2, line 24.

Following: "paid"

Strike: "to the"

Insert: "into a special fund held by the treasurer of the"

34. Amend page 10, section 2, line 4.

Following: "pay"

Strike: "costs of"

Insert: "the following costs of or incurred in connection with an urban renewal project."

35. Amend page 10, section 2, line 7.

Following: "and"

Strike: "ramps"

Insert: "off-street parking facilities"

36. Amend page 10, section 2, line 9.

Following: "22"

Insert: ", and items of personal property to be used in connection with improvements for which the foregoing costs may be incurred;"

37. Amend page 10, section 2.

Following: line 9

Insert: "the tax increment"

38. Amend page 10, section 2, line 10.

Following: "principal"

Insert: "of premiums, if any,"

39. Amend page 10, section 2, line 12.

Following: "11-3910"

Insert: "for the purpose of providing bonds to pay such costs"

40. Amend page 10, section 2, line 14.

Following: "bodies"

Strike: "that"

Insert: "any"

41. Amend page 10, section 2, line 16.

Following: "principal"

Insert: "of premiums, if any,"

42. Amend page 10, section 2, lines 18 and 19.

Following: "a"

Insert: "tax increment"

Following: "provision"

Strike: "for the segregation and application of tax increments"

43. Amend page 10, section 2, line 21.

Following: "of the"

Insert: "tax increment from the"

44. Amend page 10, section 2, line 22.

Following: "value"

Strike: "may"

Insert: "shall"

45. Amend page 10, section 2, line 24.

Following: line 23

Strike: "certified"

Insert: "reported"

46. Amend page 10, section 2, line 25.

Following: "which the"

Insert: "increment"

Following: "provision"

Strike: "for segregation and application of tax"

47. Amend page 11, section 2, line 1.

Following: line 25 on page 10

Strike: "increments"

Following: "is"

Strike: "certified"

Insert: "reported"

48. Amend page 11, section 2, line 3.

Following: "are"

Strike: "extended"

Insert: "levied"

49. Amend page 11, section 2, lines 7 and 8.

Following: "The"

Insert: "tax increment"

Following: "provision"

Strike: "for segregation and application of tax increments within an urban renewal area"

50. Amend page 11, section 2, line 10.

Following: "payment"

Insert: "or provision for payment"

Following: "bonds"

Insert: "for which the tax increment has been pledged"

51. Amend page 11, section 2, line 11.

Following: "thereon"

Strike: "for which the tax increment has been pledged"

52. Amend page 11, section 2, lines 12 through 14.

Following: "occurs."

Strike: "Unless otherwise provided by agreement with other taxing bodies, any tax increments remaining"

Insert: "Any amounts remaining in the special fund or any reserve fund"

53. Amend page 11, section 2, lines 14 and 15.

Following: "of the"

Insert: "tax increment"

Following: "provision"

Strike: "for segregation and application of tax increments"

54. Amend page 11, section 2, lines 15 and 16.

Following: "be"

Strike: "available for general purposes of the municipality"

Insert: "distributed among the various taxing bodies in proportion to their property tax revenues from the district. After termination of the tax increment provision, all taxes shall be levied upon the actual taxable value of the taxable property in the urban renewal area, and shall be paid into the funds of the respective taxing bodies"

And as amended, do pass. Report adopted.

HB 755, do pass. Report adopted.	2/23/77
HB 773, do pass. Report adopted.	2/22/77
HJR 69, do pass. Report adopted.	2/22/77

### REPORTS OF STANDING COMMITTEES

Objection raised by Vincent on 2/24/77 on adverse committee report on HB 528. Referred to Second Reading.

On motion by Menahan, and in accordance with the 24-hour rule, the adverse committee report on HB 385 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Conroy, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Jensen, Kanduch, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Staigmilller, Stobie, Tropila, Turner, Vinger, Wood, Mr. Speaker.  
Total 59

Noes: Colburn, Courtney, Curtiss, Dussault, Estenson, Frates, Harper, Holmes, McLane, Manuel, Teague, Uhde, Underdal, Vincent, Waldron.  
Total 15

Excused: Moore.  
Total 1

Absent or not voting: Aageson, Bengtson, Bradley, Brand, Burnett, Cooney, Cox, Dassinger, Day, Gerke, J. Gunderson, Hurwitz, Johnston, Kennerly, Kropp, Lien, Mular, Ramirez, Roth, Sivertsen, Smith, South, Tower, Williams, Wyrick.  
Total 25

On motion by Menahan, and in accordance with the 24-hour rule, the adverse committee report on HB 682 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Colburn, Cooney, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 68

Noes: Barrett, Bradley, Courtney, Holmes, Huennekens, Kessler, Meloy, Metcalf, Palmer, Scully, Vincent, Waldron.  
Total 12

Excused: Moore.  
Total 1

Absent or not voting: Aageson, Bengtson, Brand, Burnett, Conroy, Dassinger, Day, Dussault, Gerke, J. Gunderson, Hurwitz, Kennerly, Lien, Mular, Ramirez, Sivertsen, Smith, South, Tower.  
Total 19

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 201 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Colburn, Cooney, Courtney, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tropila, Turner, Underdal, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 72

Noes: Bradley, Estenson, Holmes, Huennekens, Meloy, Metcalf, Scully, Uhde, Vincent.  
Total 9

Excused: Moore.  
Total 1

Absent or not voting: Aageson, Bengtson, Brand, Burnett, Conroy, Dassinger, Day, Dussault, Gerke, J. Gunderson, Hurwitz, Kennerly, Lien, Mular, Ramirez, Smith, Tower, Vinger.  
Total 18

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 316 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fagg, Halvorson, Hansen, Harrington, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Meyer, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Stobie, Tropila, Turner, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.  
Total 60

Noes: Barrett, Bengtson, Colburn, Ellison, Fabrega, Feda, Frates, Gilligan, Gould, E. Gunderson, Harper, Hirsch, Holmes, Huennekens, Kessler, Manuel, Metcalf, South, Staigmillier, Teague, Uhde, Waldron.  
Total 22

Excused: Moore.  
Total 1

Absent or not voting: Aageson, Burnett, Conroy, Dassinger, Dussault, Gerke, J. Gunderson, Hand, Hurwitz, Kennerly, Lien, Mular, O'Keefe, Ramirez, Smith, Tower, Vinger.  
Total 17

On motion by Robbins, and in accordance with the 24-hour rule, the adverse committee report on HB 433 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick.



Total 74

Noes: Cooney, Courtney, Estenson, Fagg, Holmes, Kessler, Metcalf, Palmer, Mr. Speaker.

Total 9

Excused: Moore.

Total 1

Absent or not voting: Aageson, Brand, Burnett, Conroy, Dussault, J. Gunderson, Hurwitz, Kennerly, Lien, Ramirez, Seifert, Severson, Smith, Tower, Vinger, Waldron.

Total 16

On motion by Robbins, and in accordance with the 24-hour rule, the adverse committee report on HB 789 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Staigmiller, Stobie, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 75

Noes: Dussault, Estenson, Fagg, Harper, Holmes, Huennekens, Kessler, Metcalf, Palmer, South, Uhde, Waldron.

Total 12

Excused: Moore.

Total 1

Absent or not voting: Aageson, Brand, Burnett, Conroy, Courtney, J. Gunderson, Hurwitz, Kennerly, Mular, Ramirez, Smith, Tower.

Total 12

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 380 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Meloy, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Mr. Speaker.

Total 75

Noes: Barrett, Bradley, Brand, Courtney, Feda, Lien, Lynch, Manuel, Menahan, Mular, Scully, Vincent, Waldron, Wyrick.

Total 14

Excused: Moore.

Total 1

Absent or not voting: Aageson, Bengtson, Burnett, Estenson, J. Gunderson, Hurwitz, Kennerly, Ramirez, Smith, Tower.

Total 10

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 597 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Turner, Underdal, Williams, Wood.

Total 72

Noes: Barrett, Cox, Curtiss, Ellison, Ernst, Fabrega, Feda, Gould, Hansen, Nathe, Roth, Scully, Stobie, Uhde, Vincent, Vinger, Waldron, Wyrick, Mr. Speaker.

Total 19

Excused: Moore.

Total 1

Absent or not voting: Aageson, Burnett, J. Gunderson, Hurwitz, Kennerly, Marks, Smith, Tower.

Total 8

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 750 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harrington, Hirsch, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick.

Total 73

Noes: Bradley, Brand, Cooney, Courtney, Dussault, Estenson, Frates, E. Gunderson, Harper, Holmes, Huennekens, Kessler, Meloy, Metcalf, Shelden, South, Vincent, Waldron, Mr. Speaker.

Total 19

Excused: Moore.

Total 1

Absent or not voting: Aageson, Burnett, J. Gunderson, Hurwitz, Kennerly, Smith, Tower.

Total 7

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 784 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Harper, Hirsch, Jensen, Johnston, Kanduch,

Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Brand, Cooney, Courtney, Dussault, E. Gunderson, Hansen, Harrington, Holmes, Huennekens, Kessler, Mular, Shelden, Uhde, Waldron.

Total 14

Excused: Moore.

Total 1

Absent or not voting: Aageson, Burnett, Dassinger, J. Gunderson, Hurwitz, Kennerly, Smith.

Total 7

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on HB 806 was adopted by the following vote:

Ayes: R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Harper, Hirsch, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: W. Baeth, Brand, Colburn, Cooney, Courtney, Dassinger, Hansen, Harrington, Holmes, Huennekens, Lynch, Metcalf, Mular, O'Connell, Scully, Staigmilller, Teague, Waldron.

Total 18

Excused: Moore.

Total 1

Absent or not voting: Aageson, Burnett, J. Gunderson, Hurwitz, Kennerly, Kimble, Smith.

Total 7

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 614 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Brand, Ernst, Halvorson, Pistoria, Waldron.



Total 5

Excused: Moore.

Total 1

Absent or not voting: Aageson, Dassinger, J. Gunderson, Hurwitz, Kennerly, Smith.

Total 6

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 703 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Harper, Hirsch, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick.

Total 75

Noes: Brand, Colburn, Cooney, Courtney, Dussault, Estenson, Frates, Hansen, Harrington, Holmes, Huennekens, Kessler, Meloy, Metcalf, Mular, Palmer, Teague, Vincent, Waldron, Mr. Speaker.

Total 20

Excused: Moore.

Total 1

Absent or not voting: Aageson, J. Gunderson, Hurwitz, Kennerly.

Total 4

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 717 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harrington, Hirsch, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Underdal, Vinger, Williams, Wyrick, Mr. Speaker.

Total 73

Noes: Bardanouve, Bradley, Brand, Colburn, Cooney, Courtney, Dussault, Frates, E. Gunderson, Harper, Holmes, Huennekens, Kessler, Meloy, Metcalf, Palmer, Teague, Uhde, Vincent, Waldron.

Total 20

Excused: Moore.

Total 1

Absent or not voting: Aageson, J. Gunderson, Hurwitz, Kennerly, Tower, Wood.

Total 6

On motion by Holmes, and in accordance with the 24-hour rule, the adverse committee report on HB 303 was adopted by the following vote:



Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Jensen, Johnston, Kenny, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, McLane, Marks, Meloy, Metcalf, Meyer, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.  
Total 73

Noes: Brand, Courtney, Dussault, Hirsch, Holmes, Huennekens, Kanduch, Lynch, Manuel, Menahan, Mular, Ryan, South, Teague, Waldron, Wyrick.  
Total 16

Excused: Moore.  
Total 1

Absent or not voting: Aageson, Burnett, J. Gunderson, Hand, Hurwitz, Kennerly, Kessler, Kropp, O'Keefe, Tower.  
Total 10

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 423 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gould, E. Gunderson, Halvorson, Harper, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 76

Noes: Colburn, Conroy, Courtney, Gilligan, Hand, Hansen, Harrington, Johnston, Kenny, Lynch, Menahan, Mular, O'Connell, Quilici, Ryan, Teague, Tropila.  
Total 17

Excused: Moore.  
Total 1

Absent or not voting: Aageson, Burnett, J. Gunderson, Hurwitz, Kennerly, Tower.  
Total 6

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 593 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Meloy, Menahan, Metcalf, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Shelden, South, Stobie, Tropila, Uhde, Underdal, Vincent, Williams, Mr. Speaker.  
Total 63

Noes: Barrett, Burnett, Colburn, Conroy, Curtiss, Davis, Ellerd, Ellison, Fabrega, Fedá, Hand, Hansen, Johnston, Kenny, Keyser, McLane, Manuel, Marks, Meyer, Mular, Ramirez, Seifert, Severson, Sivertsen, Smith, Staigmiller, Teague, Turner, Vinger, Waldron, Wood, Wyrick.

Total 32

Excused: Moore.

Total 1

Absent or not voting: Ageson, J. Gunderson, Hurwitz, Tower.

Total 4

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on HB 775 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 79

Noes: Barrett, Brand, Colburn, Hansen, Kennerly, Kenny, Kimble, Lynch, Mular, O'Connell, Palmer, Quilici, Ryan, Stobie, Teague, Wood.

Total 16

Excused: Moore.

Total 1

Absent or not voting: Ageson, Bengtson, J. Gunderson, Hurwitz.

Total 4

Objection raised by Burnett on 2/24/77 on adverse committee report on HB 191. Referred to Second Reading.

### MOTIONS

Day moved that HB 640 be passed for the day. Motion carried.

Huennekens moved that HB 689 be rereferred from the Committee on Natural Resources to the Committee on Taxation. Motion carried.

Scully moved that HB 281 be rereferred from Second Reading to the Committee on Rules. Motion carried.

Meloy moved that HB 553 be rereferred from Engrossing to the Committee on Taxation. Motion carried.

Meloy moved that the rules be suspended and the following bills and resolutions be placed on Second Reading today: HB 77, HB 156, HB 181, HB 558, HB 564, HB 588, HB 672, HB 687, HB 763, HB 768, HB 788, HB 791, HB 794, HB 797, HJR 15, HJR 28, and HJR 63. Motion carried.

### REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Shelden, Chairman):

HB 604, introduced copy, be amended as follows:

2/23/77

1. Amend title, line 5.

Following: "sections"

Strike: "50-1202,"

2. Amend title, line 6.

Following: "50-1207,"

Strike: "50-1208, 50-1209,"

3. Amend title, line 7.

Following: line 6

Strike: "50-1211,"

Following: "50-1212,"

Strike: "50-1213,"

4. Amend title, lines 8 through 10.

Following: "1947;"

Strike: "creating a new R.C.M. section 50-1228 providing mandamus as a remedy to compel enforcement of Title 50, chapter 12"

Insert: "and providing an effective date"

5. Amend page 1, section 1, lines 21 and 22.

Following: "(use)"

Strike: "best technological and environmental protection available"

Insert: "greatest reasonable degree of protection and reclamation to beneficial use"

6. Amend page 2, section 1, line 5.

Following: "(the)"

Strike: "The"

Insert: "Although both the need for and the practicability of reclamation will control the type and degree of reclamation in any specific instance, the"

7. Amend page 2, section 1, lines 5 and 6.

Following: "objective"

Strike: "of reclamation"

8. Amend page 2, section 1, line 9.

Following: "(area)"

Insert: "appropriate to any proposed subsequent use of the area"

9. Amend page 3, section 1, line 21.

Following: "(4)"

Strike: "'Abandonment'"

10. Amend page 3, section 1, lines 23 through 25.

Following: "(resume)"

Strike: "shall mean an operation where no mineral is being produced and the department determines that the operation will not continue or resume"

Insert: "'Abandonment of surface or underground mining' may be presumed when it is shown that continued operation will not resume"

11. Amend page 4, section 2, subsection (9), line 23 through line 2 on page 5.

Following: line 22

Strike: subsection (9) in its entirety

Renumber: subsequent subsections

12. Amend page 5, section 2, line 8.

Following: "tons"

Insert: ", and shall include the construction and operation of all

crushers, concentrators, tailings ponds and dams, leach dumps, conveyor systems, and pipelines associated with and in reasonable proximity to the mine”

13. Amend page 5, section 2, line 12.

Following: “(practical)”

Insert: “to the extent practical”

14. Amend page 5, section 2, line 13.

Following: “(developing)”

Strike: “an exploration”

Insert: “a developing”

15. Amend page 6, section 2, line 1.

Following: line 25 on page 5

Insert: “unnecessary”

16. Amend page 6, section 2, line 2.

Following: “water”

Strike: “and air”

17. Amend page 6, section 2, line 7.

Following: “(unnecessary)”

Insert: “unnecessary”

18. Amend page 6, section 2, line 11.

Following: “(reasonably)”

Insert: “reasonably”

19. Amend page 6, section 2, line 19.

Following: line 18

Strike: “primarily native and diverse vegetation”

Insert: “natural cover deemed suitable at time of reclamation”

20. Amend page 7, section 2, line 8.

Following: “solution”

Strike: “and processing of minerals”

21. Amend page 7, section 3, lines 15, 16 and 17.

Following: “mining.”

Strike: “All information related to exploration activities is nonconfidential between state agencies.”

22. Amend page 7, section 4, lines 21 and 22.

Following: “funds”

Strike: “—special account—use of account”

23. Amend page 8, section 4, subsection (2), lines 6 through 17.

Strike: subsection (2) in its entirety

24. Amend page 9, section 5, line 14.

Following: “((\$5))”

Strike: “\$50 as provided in subsection (3)”

Insert: “\$5”

25. Amend page 10, section 5, lines 4 and 5.

Following: “land”

Strike: “, if any, and the type of blasting materials that will be used.”

Insert: “.”

26. Amend page 10, section 5, lines 6 through 18.

Strike: lines 6 through 18 in their entirety



27. Amend page 10, section 5, lines 22 and 23.

Following: "board"

Strike: "which shall be made available for public review"

28. Amend page 11, section 5, lines 2, 3 and 4.

Following: "50-1211"

Strike: "and describe types of access roads to be built and proposed reclamation of road sites on abandonment"

29. Amend page 11, section 5, lines 17 and 18.

Following: "(site)"

Strike: "as rapidly, completely, and effectively as modern technology and the most advanced state of the art allow."

Insert: "within 2 years after the completion of exploration or abandonment of the site"

30. Amend page 11, section 5, subsections (e) and (3), line 20 through line 3 on page 12.

Strike: subsections (e) and (3) in their entirety

Renumber: subsequent subsections

31. Amend page 14, section 6, line 25.

Following: "(( \$25 ))"

Strike: "\$50"

Insert: "\$25"

32. Amend page 15, section 6, subsections (b) through (d), lines 8 through 16.

Strike: subsections (b) through (d) in their entirety

Renumber: subsequent subsections

33. Amend page 16, section 6, lines 2 through 8.

Following: "(applicant;)"

Strike: "identification of all aquifers; estimated depth of each aquifer; quantitative measurements of both aquifer and stream quality and flows; chemical analysis of the ore and associated geological materials to facilitate assessment of potential water pollution problems; the proximity of all detectable ore bodies to streams and aquifers;"

Insert: ", roads, railroads, and utility lines on or immediately adjacent to the area; location of proposed access roads to be built and the names and addresses of the surface and mineral owners of all lands within the mining area, to the extent known to applicant;"

34. Amend page 16, section 6, subsection (1), line 17 through line 2 on page 17.

Strike: subsection (1) in its entirety

35. Amend page 17, section 7, lines 9 and 10.

Following: "(feasible)"

Strike: "as rapidly, completely, and effectively as modern technology and the most advanced state of the act allow"

Insert: "to the extent feasible"

36. Amend page 17, section 7, lines 24 and 25.

Following: "change."

Strike: "The department shall be notified immediately of an emergency or threatened catastrophe."

37. Amend page 18, section 7, lines 5 and 6.

Following: "with"

Strike: "certified seed and"

38. Amend page 18, section 7, lines 20 and 21.  
Following: "(objectionable)"  
Strike: "higher than normal"
39. Amend page 19, section 7, lines 5 and 6.  
Following: "(itself)"  
Strike: "where groundwater contamination will not occur"  
Insert: "itself"
40. Amend page 19, section 7, lines 12 and 13.  
Following: "(use)"  
Strike: "ecological and biological integrity"  
Insert: "future use"
41. Amend page 19, section 7, line 19 through line 5 on page 20.  
Following: line 18  
Strike: lines 19 through 5 on page 20 in their entirety  
Insert: "need not reclaim the areas to a better condition or different use than that which existed prior to development or mining."  
Renummer: subsequent subsections
42. Amend page 21, section 8, lines 6 through 16.  
Following: "(thereafter)"  
Strike: lines 6 through 16 in their entirety  
Insert: "60 days of receipt of the complete application and reclamation plan by the board and receipt of the permit fee the board shall either issue an operating permit to the applicant or return any incomplete or inadequate application to the applicant along with a description of the deficiencies. Failure of the board to so act within that period shall constitute approval of the application and the permit shall be issued promptly thereafter."
43. Amend page 21, section 8, lines 17 and 18.  
Following: "granted"  
Strike: "subject to annual review"
44. Amend page 22, section 8, line 3.  
Following: "modify"  
Strike: "or strengthen"
45. Amend page 23, section 9, lines 18 through 20.  
Following: "license."  
Strike: lines 18 through 20 in their entirety
46. Amend page 23, section 9, lines 24 and 25 through line 1 on page 24.  
Following: "fulfilled"  
Strike: "and until a suitable permanent native diverse vegetative cover has been reestablished"
47. Amend page 25, section 10, line 9.  
Following: "(months)"  
Strike: "Air and water"  
Insert: "Water"
48. Amend page 26, section 11, line 5.  
Following: "(act,)"  
Insert: "and in section 9 (50-1209)\* of this act,"
49. Amend page 26, section 11, lines 14 through 22.  
Following: "(coverage.)"  
Strike: lines 14 through 22 in their entirety

Insert: "Within 30 days after notification by the permittee and when in the judgment of the board reclamation of a unit of disturbed land area is properly completed, the permittee shall be notified in writing and his bond on said area shall be released or decreased proportionately to the acreage included within the bond coverage."

50. Amend page 27, section 11, line 3.

Following: "(years)"

Insert: "within 2 years"

51. Amend page 27, section 11, lines 6 and 7.

Following: line 5

Strike: "as rapidly, completely, and effectively as the most modern technology and advanced state of the art allow"

Insert: "or such longer period as may have been authorized hereunder,"

52. Amend page 28, section 11, lines 13, 14 and 15.

Following: "(motion,)"

Strike: "as rapidly, completely, and correctly as the most modern technology and advanced state of the art allow"

Insert: "within 2 years, or such longer period as the board may permit on permittee's application therefor, or on the board's own motion,"

53. Amend page 28, section 11, line 21.

Following: "(same)"

Insert: "; provided, however, that such action shall not be affected while an appeal is pending from any ruling requiring the same"

54. Amend page 28, section 11, line 25.

Following: "exploration"

Strike: "or mining"

Insert: "license or operating"

55. Amend page 29, section 12, line 10 through line 15 on page 30:

Following: line 9 on page 29

Strike: line 10 on page 29 through line 15 on page 30 in their entirety

Insert: "(2) a denial of a permit shall be in writing and state the reasons therefor."

56. Amend page 30, section 13, line 21.

Following: "(staff)"

Strike: "agencies of state government"

Insert: "the department"

57. Amend page 30, section 13, line 24.

Following: "(board)"

Strike: "agencies"

Insert: "department"

58. Amend page 30, section 13, line 25.

Following: "(county)"

Strike: "location"

Insert: "county"

59. Amend page 31, section 13, line 1.

Following: "operation."

Insert: "The department may notify the department of health and environmental sciences and other state agencies at its discretion of any apparent water quality violations. These agencies are also subject to the confidentiality provisions of this act."

60. Amend page 31, section 13, line 6.

Following: "(staff)"

Strike: "an agency of state government"

Insert: "the department"

61. Amend page 31, section 14, line 16 through line 7 on page 34.

Strike: section 14 in its entirety

Re-number: subsequent section

62. Amend page 34.

Following: line 13

Insert: "Section 15. Exclusion. No provision of this act shall apply to any exploration or mining operation prior to the effective date of this act.

Section 16. Effective date. This act is effective on its passage and approval."

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 754, introduced copy, be amended as follows:

2/24/77

1. Amend page 2, section 1, lines 12 through 14.

Following: "insured."

Strike: "However, security for deposits of coal tax trust funds may be less than the amount deposited, as provided in subsection (5)."

2. Amend page 3, section 1, subsection (5), line 23 through line 8 on page 4.

Strike: subsection (5) in its entirety

3. Amend page 8, section 3, lines 20 and 21.

Following: line 19

Strike: "interest-bearing deposits in credit unions located in the state are also permitted and"

4. Amend page 11, section 3, line 1.

Following: "(4)"

Strike: "The"

Insert: "10% of the"

Following: "fund"

Strike: ", only, may"

Insert: "collected before January 1, 1981, and after January 1, 1981, only the interest on the coal tax trust fund"

5. Amend page 11, section 3, line 17.

Following: "energy"

Strike: "conservation"

Insert: "generation"

6. Amend page 11, section 3, line 18.

Following: "processes"

Insert: "within the state of Montana"

7. Amend page 11, section 3, lines 22 and 23.

Following: "than"

Strike: "7% simple interest"

Insert: "2 1/2% in excess of the interest required to be paid under 79-310(1)(e)"



8. Amend page 12, section 3, line 4.

Following: line 3

Insert: "coal tax trust"

9. Amend page 12, section 3.

Following: line 6

Insert: "(e) The board of investments, after consultation with the department of natural resources and conservation, the energy resource policy office, the citizens' advisory committee on energy, the department of community affairs, and the private financial community, shall propose rules which further define eligible investments made under section 79-310(4)(a), (b), and (c) by August 31, 1977."

And as amended, do pass. Report adopted.

HB 770, introduced copy, be amended as follows:

2/24/77

1. Amend page 5, section 7, line 25.

Following: "of"

Strike: "at least 25"

Insert: "50 or more qualified electors or 1% of the"

2. Amend page 6, section 7, line 1.

Following: "electors"

Insert: ", whichever is greater,"

3. Amend page 7, section 7, lines 6 through 13.

Following: "shall"

Strike: the remainder of these lines

Insert: "either approve or reject the nomination for designation of the area as an area of state concern. If the governing body approves designation it shall submit to the commission written findings and recommendations for designation of the area, with or without modification, along with comments submitted by state and local agencies, the record of the public hearing, estimated cost of the planning process, and any other pertinent information. If the governing body rejects designation, it shall notify the commission and the nominators and state the reasons for rejection by the governing body. If the proposed designation is rejected, the area or any portion thereof may not be renominated for a period of at least 1 year after rejection."

(8) The authority of a governing body to reject a nomination for designation shall be limited to a nomination where, in a written finding of fact, the governing body determines that either the area does not meet the criteria for designation or that proper planning and management of the area can be achieved through the existing planning program."

Renumber: subsequent subsection

4. Amend page 7, section 8, line 24.

Following: line 23

Strike: "at least 25"

Insert: "50 or more qualified electors or 1% of the"

Following: "electors"

Insert: ", whichever is greater,"

5. Amend page 8, section 8, lines 8 through 14.

Following: "jointly"

Strike: the remainder of these lines in their entirety'

Insert: "approve or reject designation of the nominated area of state

concern. If a joint decision cannot be reached, separate decisions shall be made by each governing body.”

6. Amend page 8, section 9, line 17.

Following: “approval”

Strike: “or denial”

7. Amend page 15, section 14, line 4.

Following: “designation”

Insert: “by the commission”

8. Amend page 17, section 15, lines 3 through 7.

Following: “shall”

Strike: the remainder of these lines

Insert: “either approve or reject the petition to terminate designation of an area of state concern. If the governing body approves termination it shall submit to the commission written findings and recommendations for termination of designation. If the governing body or bodies reject the petition for termination, the area or any portion thereof may not be subject to petition for termination for a period of at least 1 year after its denial.”

9. Amend page 17, section 15, line 9.

Following: “approval”

Strike: “or denial”

And as amended, without recommendation. Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 426 be amended as follows:

1. Amend page 1, title, line 6.

Following: “(lease or)”

Insert: “lease or”

2. Amend page 3, section 3, line 1.

Following: “(required)”

Strike: “shall be considered”

3. Amend page 3, section 3, line 5.

Following: “(secured)”

Strike: “considered”

Following: “costs(,)”

Insert: “. Furthermore, construction may proceed only upon disclosing, for the facility chosen, the life cycle costs as determined in (section 4)\* and the capitalization of the initial construction costs of the building. The”

4. Amend page 3, section 3, line 10.

Following: “(The)”

Strike: “alternate”

5. Amend page 3, section 3, line 12.

Following: "(selection)"

Strike: "approval"

Insert: "selection"

6. Amend page 3, section 4, line 19.

Following: "(Rules)"

Strike: "Procedures"

Insert: "Rules"

7. Amend page 3, section 4, line 21.

Following: "(and)"

Strike: "recommend"

Insert: "adopt rules and"

8. Amend page 3, section 4, line 25.

Following: "utilization"

Insert: "for competing designs in the construction"

9. Amend page 4, section 4, line 1.

Following: "state"

Insert: "financed and leased"

10. Amend page 4, section 4, line 2.

Following: "Such"

Insert: "rules and"

11. Amend page 4, section 4, line 3.

Following: line 3

Insert: "(2) Such life cycle costs shall be the sum of:

(a) the reasonably expected fuel costs over the life of the building, as determined by the department, that are required to maintain illumination, power, temperature, humidity, ventilation, and all other energy consuming equipment in a facility; and

(b) the reasonable costs of probable maintenance, including labor and materials, and operation of the building.

(3) The department shall adopt rules for determining life cycle costs including rules relating to:

(a) the orientation and integration of the facility with respect to its physical site;

(b) the amount and type of glass employed in the facility and the directions of exposure;

(c) the effect of insulation incorporated into the facility design and the effect on solar utilization of the properties of external surfaces; and

(d) the variable occupancy and operating conditions of the facility and subportions of the facility."

12. Amend page 5, section 4, line 12.

Following: "(4)"

Strike: "(2)"

Insert: "(4)"

Following: "(rules)"

Strike: "procedures"

Insert: "rules"

13. Amend page 5, section 4, line 13.

Following: "analysis"

Insert: ", including those of the national bureau of standards, the department of housing and urban development, and other federal agencies and professional societies and materials developed by the department"

14. Amend page 5, section 4, line 18.

Following: "(rules)"

Strike: "procedures"

Insert: "rules"

15. Amend page 5, section 5, line 19.

Following: "(Rules)"

Strike: "standards"

Insert: "Rules"

16. Amend page 5, section 5, line 20.

Following: "(rules)"

Strike: "standards"

Insert: "rules"

17. Amend page 5, section 5, line 22.

Following: "evaluate"

Insert: "competing" (72-11)

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. (75-17)

That HB 360 do pass. (76-8)

That HB 457 do pass. (80-5)

That HB 622 do pass. (88-3)

That HB 663 do pass. (83-3)

That HB 724, introduced copy, be amended as follows:

1. Amend title.

Following: line 7

Strike: "providing notification to local fire departments of demolition permits granted,"

2. Amend pages 2 and 3, lines 13 through 1 on page 3.

Following: "Section 3."

Strike: lines 13 through 1 on page 3

Insert: "standards to follow while demolition is underway. The building or structure to be demolished must follow the following safeguards:"

3. Amend page 3, line 2.

Following: "designee"

Insert: ", and whenever possible, the local fire department shall be notified of the demolition"

4. Amend page 4, section 4, lines 3 through 9.

Following: line 2

Strike: section 4 in its entirety

Renumber: subsequent sections (82-0)

And as amended, do pass. (81-4)

That HB 805 do pass. (91-0)

That HB 809 do pass. (92-0)

That HJR 73 do pass. (93-0)



That HJR 77 do not pass. (50-45)

That HJR 78 do pass. (72-21)

That HJR 83 be amended as follows:

1. Amend page 1.

Following: line 21

Insert: "Whereas, United States Representatives Ron Marlenee of Montana and Mark Andrews of North Dakota have introduced a similar bill, H.R. 3471, in the United States House of Representatives, calling for an appropriation of \$8.5 million to completely reconstruct the Fort Union Trading Post National Historic Site." (82-2)

And as amended, do pass. (80-2)

That HJR 85 do pass. (84-3)

That HB 482 be amended as follows:

1. Amend page 7, section 1, lines 5 and 6.

Following: "exceed"

Strike: "5% a year on original principal of \$30,000 or less; 6%"

Insert: "7%"

Following: "principal of"

Strike: "more than \$30,000 and"

2. Amend page 7, section 1, line 7.

Following: "and"

Strike: "7%"

Insert: "8%" (86-0)

And as amended, do pass. (58-34)

That HB 707 be amended as follows:

1. Amend title, line 9.

Following: line 8

Strike: "providing that this act shall be repealed July 1, 1979;"

2. Amend title, line 10.

Following: "1947"

Strike: ", and section 5, chapter 425, Laws of 1975"

3. Amend page 5, section 2, line 1.

Following: line 1

Strike: section 3 in its entirety

Insert: "Section 3. There is a new R.C.M. section that reads as follows:

Section 3. Financial and program accountability. The commissioner of higher education or his designee shall:

(1) negotiate budgets with the school districts and nonprofit corporations;

(2) disburse funds semiannually to the designated school districts and nonprofit corporations;

(3) require each grantee agency to submit semiannual financial reports and annual financial audits conducted by a certified public accountant;

(4) require each grantee agency to submit semiannual progress reports and annual evaluation reports written by an objective observer;

(5) enter into contracts with the grantee agencies to insure financial and program accountability.

The commissioner of higher education shall submit a written report to the 1979 legislature, evaluating the achievements of the Indian teacher-training programs during the biennium.

Section 4. Administration of the Indian teacher-training programs. The Montana Indian teacher-training programs shall be administered by the local designee school districts or nonprofit Indian corporations who shall subcontract with any unit of the Montana university system or any accredited private college in Montana to provide the instructional services for the programs.

Section 5. Funding. Any appropriation of money not used to fund this act during this biennium reverts to the general fund on July 1, 1979. Continuation of this act by the 1979 legislature is dependent upon the continuing need for teachers of Indian descent, upon the programs' successes, and upon the availability of funds." (84-0)

And as amended, do pass. (82-9)

That HJR 25 be passed for the day.

That HB 77 do pass. (90-0)

That HB 156 do pass. (88-1)

That HB 181 be passed for the day.

That HB 558 do pass. (90-1)

That HB 564 be passed for the day.

That HB 588 be placed below HB 687 on the Second Reading board.

That HB 658 do pass. (72-20)

That HB 672 do pass. (67-25)

That the committee rise and report. (Kvaalen, Chairman)

O'Connell moved that HJR 77 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

### MOTIONS

Meloy moved that the following bills be rereferred from Engrossing to the Committee on Appropriations: HB 426, HB 622, HB 663, HB 672, and HB 707. Motion carried.

Meloy moved that HB 482 be rereferred from Engrossing to the Committee on Taxation. Motion carried.

Meloy moved that the rules be suspended and that the following bills be placed on Third Reading today: HB 151, HB 352, HB 363, HB 395, HB 430, HB 447, HB 455, HB 480, HB 497, HB 533, HB 544, HB 612, HB 654, HB 677, HB 692, HB 713, HB 714, HB 715, HB 719, HB 726, HB 741, HB 742, HB 748, HB 759, HB 765, HB 769, HB 772, HJR 23, HJR 55, HJR 59, HJR 65, and HJR 72.

Meloy moved that HB 714 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

2/24/77

Considered Correctly engrossed - HB 480, HB 560, HB 612, HB 677, HB 692, HB 713, HB 715, HB 748, HB 765, HB 772, HJR 23, HJR 59, HJR 72.

Correctly printed - HB 61, HB 114, HB 183, HB 281, HB 286, HB 350, HB 360, HB 530, HB 569, HB 644, HB 656, HB 724, HB 802, HB 810, HB 811, HJR 10, HJR 47, HJR 58, HJR 70, HJR 80, HJR 81.

JUDICIARY (Scully, Chairman):

2/24/77

HB 462, second reading copy, be amended as follows:

1. Amend title, line 8.

Following: "judiciary"

Strike: "; amending section 94-7-401, R.C.M. 1947"

2. Amend page 3, section 3, subsection (1), line 20 through line 2 on page 4.

Following: "state."

Strike: line 20 on page 3 through line 2 on page 4 in their entirety

3. Amend page 4, section 3, subsection (2), line 4.

Following: "duty"

Strike: "under this section"

4. Amend page 4, section 3, subsection (2), line 12.

Following: "of the"

Strike: "county"

Insert: "state"

5. Amend page 4, section 3, subsection (3), line 13.

Following: "(3)"

Strike: "This section sets forth the fundamental standard of conduct for all public officers, legislators, and employees."

6. Amend page 4, section 3, subsection (3), line 17.

Following: "of"

Strike: "this standard"

Insert: "fiduciary duty"

7. Amend page 4, section 3, subsection (3), lines 18 through 22.

Following: "transgression of"

Strike: lines 18 through 22 in their entirety

Insert: "any of which is not, as such, a violation of fiduciary duty."

8. Amend page 5, section 4, subsection (1), line 4.

Following: "further"

Insert: "substantially"

9. Amend page 5, section 4, subsection (b), lines 6 through 10.

Following: "(b)"

Strike: lines 6 through 10 in their entirety

Insert: "accept a gift of substantial value or a substantial economic benefit tantamount to a gift:

(i) which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties; or

(ii) which he knows or which a reasonable person in his position should know under the circumstances is primarily for the purpose of rewarding him for official action he has taken."

10. Amend page 6, section 5, subsection (2), line 2.

Following: "or"

Insert: "solicit a"

11. Amend page 6, section 5, subsection (2), line 3.

Following: "the use"

Strike: "or attempted use"

12. Amend page 6, section 6, subsection (e), line 20.

Following: "directly"

Insert: "and substantially"

Following: "affecting"

Insert: "to its economic benefit"

13. Amend page 7, section 7, subsection (b), line 14.

Following: "directly"

Insert: "and substantially"

Following: "affecting"

Insert: "to its economic benefit"

14. Amend page 8, section 8, subsection (2), lines 2 through 6.

Following: line 1

Strike: lines 2 through 6 in their entirety

Renumber: subsequent subsections

15. Amend page 8, section 8, subsection (3), line 8.

Following: "conflict"

Strike: "situation"

16. Amend page 8, section 8, subsection (3), lines 9 and 10.

Following: "personal"

Strike: ", family, or client legislative interest"

Insert: "or financial interest which would be directly and substantially affected by the legislative matter"

Following: "consider"

Insert: "disclosing or"

17. Amend page 8, section 8, subsection (4), lines 19, 20, 21.

Following: "situation"

Strike: "may arise from legislation affecting less than the entire statewide membership of a class but"

18. Amend page 8, section 8, subsection (4), lines 22 through 24.

Following: "entire"

Strike: "statewide"

Following: "membership of a class."

Strike: lines 22 through 24 in their entirety

19. Amend page 8, section 8, subsection (4).

Following: line 24

Insert: "(4) If a legislator elects to disclose the interest creating the conflict, he shall do so as provided in the joint rules of the legislature."

20. Amend page 8, section 9, line 25.

Following: "for"

Strike: "all"

21. Amend pages 8 and 9, section 9, line 25 through line 1 on page 9.

Following: "officers"

Strike: ", legislators,"

22. Amend page 9, section 9, subsection (1), lines 4 through 7.

Following: "government."

Strike: lines 4 through 7 in their entirety

23. Amend page 9, section 9, subsection (2), line 10.

Following: "directly"



Insert: "and substantially"

24. Amend page 9, section 9, subsection (4), line 21.

Following: "officer"

Strike: ", legislator,"

25. Amend page 9, section 9, subsection (4), line 22.

Following: "directly"

Insert: "and substantially"

26. Amend page 10, section 10, lines 1 and 2.

Following: "officer"

Strike: ", legislator, "

27. Amend page 10, section 10, lines 5 and 6.

Following: "disclosure"

Insert: "in writing"

Following: "to the"

Strike: "commissioner of campaign finances and practices"

Insert: "secretary of state"

28. Amend page 10, section 11, line 13.

Following: "of the"

Strike: "commissioner"

Insert: "secretary of state"

29. Amend page 10, section 11, line 14.

Following: line 13

Strike: "commissioner of campaign finances and practices"

Insert: "secretary of state"

30. Amend page 10, section 11, subsection (1), lines 15 through 19.

Following: line 14

Strike: subsection (1) in its entirety

Re-number: subsequent subsections

31. Amend pages 10 through 12.

Following: line 23

Strike: section 12 in its entirety

And as amended, do pass. Report adopted.

HB 685, introduced bill, be amended as follows:

1. Amend page 2, section 1.

Following: line 3

Insert: "(3) Cleaning expenses means the actual cost of cleaning done by an owner or their selected representative for cleaning needs not attributable to normal wear brought about by the tenants' failure to bring the premise to the condition it was at the time of renting."

Re-number: subsequent subsection

2. Amend page 2, section 2, line 23.

Following: "expenses."

Insert: "No cleaning charges may be imposed for normal maintenance performed on a cyclical basis by the landlord as noted by the landlord at the time the tenant occupies the space, unless the landlord is forced to perform this maintenance because of negligence of the tenant. Additionally, no cleaning expense can be collected until notice has been given to the tenant. Said notice shall include:

(i) the cleaning not accomplished by the tenant;

(ii) the additional and type or types of cleaning which needs to be done by the tenant to bring the premises back to its condition at the time of their renting. After the delivery of the notice the tenant shall have 48 hours to complete the required cleaning."

3. Amend page 3, section 3, line 9.

Following: "charges"

Insert: ", brought after the provisions of 42-303 have been followed,"

And as amended, do pass. Report adopted.

HB 782 introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (1), line 14.

Following: "or"

Insert: "by the present value of benefits"

2. Amend page 1, section 1, subsection (a), line 17.

Following: "(a)"

Strike: "the U.S. Social Security Act, as amended, or"

3. Amend page 1, section 1, subsection (a), line 18.

Following: "program"

Insert: ", except the U.S. Social Security Act, as amended"

4. Amend page 1, section 1, subsection (c), line 20.

Following: "any"

Insert: "private or governmental"

Following: "insurance"

Insert: "or benefit"

5. Amend page 2.

Following: line 5

Insert: "Section 2. Application to comparative negligence actions.

Whenever the comparative negligence of the parties is an issue in the action, the offset provided in (section 1)\* shall be applied to the total amount of the damages sustained by the claimant."

Renumber: subsequent section

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

HB 800, introduced bill, be amended as follows:

1. Amend title, lines 6 and 7.

Following: "Montana;"

Strike: ", repealing sections 93-322 through 93-344, R.C.M. 1947"

2. Amend page 6, section 10, subsection (2), line 7.

Following: "court"

Strike: "except as provided in subsection (3)"

3. Amend page 6, section 10, subsection (5), line 21.

Following: "court"

Insert: "more than 3 claims in any calendar year"

4. Amend page 10, section 22, lines 12 and 13.

Following: line 11

Strike: lines 12 and 13 in their entirety

And as amended, do pass. Report adopted.

On motion by South, and in accordance with the 24-hour rule, the adverse committee report on HB 327 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Brand, Colburn, Courtney, Mular, O'Connell, Teague, Tropila.

Total 7

Excused: Moore.

Total 1

Absent or not voting: Aageson, Bengtson, Ellerd, J. Gunderson, Hurwitz, Palmer, Tower.

Total 7

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 151 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz, Palmer.

Total 5

House Bill No. 352 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Menahan,



Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Bradley, Holmes, Meloy.

Total 3

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz, McLane.

Total 5

House Bill No. 363 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Smith.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz, Kimble, Meloy.

Total 6

House Bill No. 395 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Cox, Stobie, Tower, Turner.

Total 4

Excused: Moore.

Total 1



Absent or not voting: Ageson, Burnett, Ellerd, J. Gunderson, Hurwitz, Palmer, Porter, Roth.

Total 8

House Bill No. 430 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Cox, Stobie.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Ageson, Ellerd, J. Gunderson, Hurwitz.

Total 4

House Bill No. 447 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 82

Noes: Brand, Estenson, Huennekens, Kessler, Lynch, Marks, Menahan, Quilici, Robbins, Staigmiller, Uhde, Waldron.

Total 12

Excused: Moore.

Total 1

Absent or not voting: Ageson, Ellerd, J. Gunderson, Hurwitz, Palmer.

Total 5

House Bill No. 455 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch,

McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Staigmiller.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz.

Total 4

House Bill No. 480 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 82

Noes: Bradley, Cox, Curtiss, Davis, Gould, Kenny, Keyser, Menahan, Ryan, Stobie, Underdal, Vincent, Wood.

Total 13

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz.

Total 4

House Bill No. 497 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz, Palmer.

Total 5

House Bill No. 533 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz, Palmer.

Total 5

House Bill No. 544 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 85

Noes: Barrett, Cox, Curtiss, Ernst, Fedas, Stobie, Vinger, Wood.

Total 8

Excused: Moore.

Total 1

Absent or not voting: Aageson, Davis, Ellerd, J. Gunderson, Hurwitz, Palmer.

Total 6

House Bill No. 612 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins,



Roth, Ryan, Scully, Shelden, Sivertsen, South, Staigmilller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 79

Noes: Burnett, Cox, Feda, Keyser, Kropp, Lund, Seifert, Severson, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wyrick.

Total 15

Excused: Moore.

Total 1

Absent or not voting: Aageson, Davis, Ellerd, J. Gunderson, Hurwitz.

Total 5

House Bill No. 654 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Burnett, Ryan, Smith, Tower, Turner, Underdal.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz, Palmer.

Total 5

House Bill No. 677 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Porter, Ramirez.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Aageson, Davis, Ellerd, J. Gunderson, Hurwitz, Palmer.



Total 6

House Bill No. 692 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kennerly, Kessler, Kimble, Lund, Marks, Meloy, Menahan, Metcalf, Mular, Palmer, Quilici, Ramirez, Ryan, Scully, Shelden, South, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 53

Noes: R. Baeth, Barrett, Burnett, Colburn, Curtiss, Davis, Ellison, Ernst, Estenson, Eudaily, Hand, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meyer, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Robbins, Roth, Seifert, Severson, Sivertsen, Smith, Staigmilller, Stobie, Teague, Tower, Turner, Underdal, Wood, Wyrick.

Total 42

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz.

Total 4

House Bill No. 713 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Day, Marks.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, Ellison, J. Gunderson, Hurwitz, O'Connell, Palmer.

Total 7

House Bill No. 715 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez,

Robbins, Roth, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 83

Noes: Eudaily, Hand, Kenny, Keyser, Kropp, Kvaalen, Ryan, Severson, Smith, Wood, Wyrick.

Total 11

Excused: Moore.

Total 1

Absent or not voting: Aageson, Davis, Ellerd, J. Gunderson, Hurwitz.

Total 5

House Bill No. 719 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Aageson, Davis, Ellerd, J. Gunderson, Hurwitz.

Total 5

House Bill No. 726 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Curtiss, Dassinger, Dussault, Ellis, Ernst, Estenson, Fabrega, Fagg, Gerke, Gilligan, Gould, Hand, Hansen, Harper, Harrington, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Shelden, South, Staigmiller, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 61

Noes: Barrett, Burnett, Colburn, Conroy, Cox, Davis, Day, Ellison, Eudaily, Feda, Frates, E. Gunderson, Halvorson, Hirsch, Holmes, Jensen, Kropp, Lund, McLane, Meyer, Nathe, Porter, Ramirez, Seifert, Severson, Sivertsen, Smith, Stobie, Teague, Tower, Turner, Underdal, Vinger, Wyrick.

Total 34

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz.

Total 4

House Bill No. 741 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Scully.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz, Pistoria.

Total 5

House Bill No. 742 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz, Palmer.

Total 5

House Bill No. 748 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Shelden, Sivertsen, South, Staigmiller, Teague, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.



Total 75

Noes: Ellison, Fabrega, Feda, Hand, Kenny, Keyser, Meyer, Mular, Nathe, Pistoria, Ryan, Seifert, Severson, Smith, Stobie, Tower, Tropila, Turner, Vinger, Wyrick.

Total 20

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz.

Total 4

House Bill No. 759 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 80

Noes: Cox, Curtiss, Hand, Hansen, Jensen, Robbins, Roth, Scully, Smith, Stobie, Tower, Turner, Vinger, Wyrick.

Total 14

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz, Palmer.

Total 5

House Bill No. 765 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, Estenson, J. Gunderson, Hurwitz, Lory, Lund.

Total 7

House Bill No. 769 was passed by the following vote:



Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Meloy, Metcalf, O'Connell, O'Keefe, Palmer, Ramirez, Scully, Severson, Shelden, South, Staigmiller, Stobie, Uhde, Underdal, Vincent, Williams, Wood.

Total 63

Noes: Bengtson, Brand, Colburn, Curtiss, Estenson, Feda, Hand, Kenny, Kropp, Lynch, McLane, Menahan, Meyer, Mular, Nathe, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Seifert, Sivertsen, Smith, Teague, Tower, Tropila, Turner, Vinger, Waldron, Wyrick, Mr. Speaker.

Total 32

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz.

Total 4

House Bill No. 772 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Burnett, Curtiss, Roth, Smith.

Total 4

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Hurwitz.

Total 4

House Joint Resolution No. 23 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Hand.

Total 1

Excused: Moore.

Total 1

Absent or not voting: Aageson, Bertelsen, Ellerd, J. Gunderson, Hurwitz, Lund, Palmer.

Total 7

House Joint Resolution No. 55 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Aageson, Bertelsen, Conroy, Ellerd, J. Gunderson, Hurwitz, Lund, Palmer.

Total 8

House Joint Resolution No. 59 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Marks, Waldron.

Total 2

Excused: Moore.

Total 1

Absent or not voting: Aageson, Conroy, Ellerd, J. Gunderson, Hurwitz, Palmer.

Total 6

House Joint Resolution No. 65 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Fagg, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, South, Staigmillier, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 61

Noes: Barrett, Burnett, Colburn, Conroy, Curtiss, Davis, Ellison, Eudaily, Fabrega, Feda, Frates, Halvorson, Hirsch, Holmes, Jensen, Kropp, McLane, Meyer, Nathe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Teague, Tower, Turner, Vinger, Wood, Wyrick.

Total 33

Excused: Moore.

Total 1

Absent or not voting: Aageson, Ellerd, J. Gunderson, Harrington, Hurwitz.

Total 5

House Joint Resolution No. 72 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Moore.

Total 1

Absent or not voting: Aageson, Bertelsen, Ellerd, J. Gunderson, Harrington, Hurwitz.

Total 6

Meloy moved that the House adjourn until 9:00 a.m., February 25, 1977.

Motion carried.

House adjourned at 9:25 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## FORTY-SEVENTH LEGISLATIVE DAY

Helena, Montana  
February 25, 1977

House Chambers  
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except J. Gunderson, Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 2/25/77

Considered correctly engrossed - HB 534.

Correctly printed - HB 85, HB 419, HB 516, HB 528, HB 550, HB 592, HB 706, HB 755, HB 803, HJR 69, HJR 84.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 9:00 a.m., 2/25/77 - HB 163.

### JOINT SELECT COMMITTEE ON EMPLOYEE COMPENSATION

(South, Chairman): 2/22/77

HB 170, do not pass.

NATURAL RESOURCES (Shelden, Chairman): 2/24/77

HB 662, introduced copy, be amended as follows:

1. Amend page 4, section 5, line 10.

Following: "Section 5."

Strike: "Renewable resources appropriation"

Insert: "Appropriation"

2. Amend page 4, section 5, lines 12 and 13.

Following: "the"

Strike: "renewable resources development account collected under authority of 89-3608"

Insert: "general fund"

3. Amend page 4, section 5, lines 18 and 19.

Strike: "From the Renewable Resources Development Account"

Insert: "General fund"

And as amended, do not pass.

Objection raised by Driscoll on 2/24/77 on adverse committee report on HB 466. Referred to Second Reading.

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House  
for concurrence: 2/24/77

Senate Bill No. 27, introduced by Blaylock

Senate Bill No. 162, introduced by Himsl, Thiessen, et al

Senate Bill No. 177, introduced by Dunkle, Goodover, et al

- Senate Bill No. 192, introduced by McCallum, Murphy  
Senate Bill No. 206, introduced by Lowe, Fasbender, et al  
Senate Bill No. 233, introduced by Lee, Dunkle, et al  
Senate Bill No. 237, introduced by Roskie, Hazelbaker, et al  
Senate Bill No. 251, introduced by Manley  
Senate Bill No. 292, introduced by Nelson (by request)  
Senate Bill No. 298, introduced by Hazelbaker  
Senate Bill No. 305, introduced by Lee, Healy, et al  
Senate Bill No. 306, introduced by Lee, Healy, et al  
Senate Bill No. 335, introduced by Turnage (by Committee on Judiciary)  
Senate Bill No. 389, introduced by Fasbender, Stephens  
Senate Bill No. 391, introduced by Devine (by request)  
Senate Bill No. 399, introduced by Boylan (by request)  
Senate Bill No. 425, introduced by Boylan (by request)  
Senate Bill No. 430, introduced by Lee (by request)  
Senate Bill No. 436, introduced by Towe  
Bills concurred in by the Senate and returned to the House: 2/24/77  
House Bill No. 325, introduced by Harrington (by request)  
Joint resolutions passed by the Senate and transmitted to the House for concurrence: 2/24/77  
Senate Joint Resolution No. 36, introduced by Manning, Kolstad, Dover, Stephens

### MOTIONS

Day moved that HB 640 be rereferred from Second Reading to the Committee on Highways and Transportation. Motion carried.

Vincent moved that HB 530 be rereferred from Second Reading to the Committee on Business and Industry. Motion carried.

Lory moved that the House reconsider its action yesterday in failing to pass HB 679 on Second Reading. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

South in the Chair. Committee arose. House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 181 do not pass. (78-13)

That HB 307 do pass. (77-8)

That HB 334 be passed for the day.

That HB 343 do pass. (62-25)

That HB 346 do pass. (68-20)

That HB 370 be passed for the day.

That HB 564 be passed for the day.

That HB 711 be passed for the day.

That HJR 25 be amended as follows:

1. Amend page 1, lines 9 through 12.

Strike: lines 9 through 12 in their entirety

2. Amend page 2, lines 12 through 19.

Strike: lines 12 through 19 in their entirety

3. Amend page 2, lines 1 through 5.

Strike: lines 1 through 5 in their entirety (53-41)

And as amended, do pass. (82-11)

That HB 687 be placed below HB 286 on the Second Reading board.

That HB 588 be amended as follows:

1. Amend page 7, section 4, lines 21 and 22.

Following: "shall"

Insert: ", within 60 days of receipt of the complete application,"  
(88-0)

And as amended, do pass. (65-21)

That HB 763 do pass. (79-0)

That HB 768 be amended as follows:

1. Amend page 3, section 1, line 15.

Following: "school."

Insert: "In order to qualify for state equalization aid, the tribal education system shall meet the accreditation standards of public schools in Montana and shall be approved by the board of public education." (79-1)

And as amended, do pass. (51-36)

That HB 788 do pass. (77-16)

That HB 791 be passed to the bottom of the Second Reading board.

That HB 794 do pass. (85-0)

That HB 797 do pass. (84-7)

That HJR 15 do pass. (86-0)

That HJR 28 do not pass. (63-31)

That HJR 63 be amended as follows:

1. Amend page 5, subsection (e), line 1.

Following: "enforcement"

Strike: "or criminal prosecution" (78-0)

And as amended, do pass. (86-4)

That HB 61 do pass. (47-42)

Tropila replaced South in the Chair.

South resumed the Chair.

That HB 183 be passed for the day.

That HB 286 be amended as follows:

1. Amend page 4, section 3, lines 4, 5, 6, and 7.

Following: "selection,"

Strike: "together with the existence and amount of the retail price difference between the brand name drug product and the drug product substituted for it and shall inform the person presenting the prescription"

2. Amend page 4, section 5, subsection (2).

Following: "purchaser."

Strike: subsection (2) in its entirety

Renummer: subsequent subsection

3. Amend page 5, section 6, subsections (2) - (3), lines 10 through 22.

Following: line 9

Strike: subsection (2) and (3) in its entirety (83-3)

Bradley replaced South in the Chair.

South resumed the Chair.

And as amended, do pass. (65-33)

That HB 687 be amended as follows:

1. Amend title, line 8.

Following: "fuels"

Insert: "and renewable energy resources"

2. Amend page 1, section 1, line 19.

Following: "Fuels"

Insert: "and Renewable Energy Resource"

3. Amend page 1, section 2, line 24.

Following: "technologies"

Insert: "and renewable energy source technologies"

4. Amend page 2, section 2, line 6.

Following: "gasification"

Insert: "and renewable energy"

5. Amend page 2, section 3, line 13.

Following: "fuel"

Insert: "and renewable energy"

6. Amend page 2, section 3, line 17.

Following: "gas"

Insert: "and renewable energy"

7. Amend page 2, section 3, line 22.

Following: "fuels"

Insert: "and renewable energy resources"

8. Amend page 2, section 3, line 25.



Following: "gasification"  
Insert: "and renewable energy"

9. Amend page 3, section 3, line 3.

Following: "gas"  
Insert: "and renewable energy"

10. Amend page 3, section 3, line 13.

Following: "fuel"  
Insert: "and renewable energy"

11. Amend page 3, section 3, line 22.

Following: "gasification"  
Insert: "and renewable energy"

12. Amend page 4, section 3, line 7.

Following: "gasification"  
Insert: "and renewable energy"

13. Amend page 4, section 4, line 16.

Following: "fuels"  
Insert: "and renewable energy resources"

14. Amend page 4, section 4, line 19.

Following: "gasification"  
Insert: "and renewable energy"

15. Amend page 5, section 4.

Following: line 6.

Insert: "(5) 'Renewable energy resources' means but is not limited to:

(a) solar energy technologies for industrial, nonindustrial or electrical generation applications;

(b) wind energy in individual, community, and regional electrical energy supply; and

(c) biomass conversion for agricultural, commercial, and fuel applications."

16. Amend page 5, section 5, line 9.

Following: "fuels"  
Insert: "and renewable energy resources"

17. Amend page 5, section 5, subsection (a), line 12.

Following: "(a)"

Insert: "either"

Following: "governor"

Insert: "or lieutenant governor"

18. Amend page 5, section 5, subsection (b), line 13.

Following: "(b)"

Strike: "the lieutenant governor"

Insert: "a member of the Montana Citizens Advisory Committee on Energy selected by the Citizens Advisory Committee on Energy"

19. Amend page 5, section 5, subsection (c), lines 14 and 15.

Following: "(c)"

Strike: "the director of the department of natural resources and conservation"

Insert: "the director of the energy and resource policy office"

20. Amend page 6, section 5, line 18.

Following: "governor"

Insert: "or lieutenant governor"

21. Amend page 6, section 5, line 19.

Following: "absence the"

Strike: "lieutenant governor"

Insert: "director of the energy and resource policy office"

22. Amend page 8, section 7, line 15.

Following: "fuel"

Insert: "and renewable energy"

23. Amend page 9, section 7, line 3.

Following: "coal"

Insert: "and renewable energy"

24. Amend page 10, section 7, line 19.

Following: "fuel"

Insert: "and renewable energy"

25. Amend page 11, section 7, line 3.

Following: "resources,"

Strike: "and"

26. Amend page 11, section 7.

Following: line 3

Insert: "(c) to determine the feasibility of the development of technology and the initiation of renewable resource demonstration plants; and"

Renumber: subsequent subsection

27. Amend page 11, section 7, line 7.

Following: "gasification"

Insert: "and renewable energy"

28. Amend page 12, section 8, line 5.

Following: "fuels"

Insert: "or renewable energy"

29. Amend page 14, section 10, line 12.

Following: "fuel"

Insert: "or renewable energy"

30. Amend page 14, section 11, line 25.

Following: "fuel"

Insert: "and renewable energy"

31. Amend page 15, section 12, line 7.

Following: "fuels"

Insert: "and renewable energy resources" (72-19)

And as amended, be passed for the day.

That HB 569 be passed for the day.

That HB 644 be placed below HB 791.

That HB 656 do pass. (82-4)

That the committee rise and report and beg leave to sit again. (South, Chairman) Report adopted.

## MOTIONS

Meloy moved that the rules be suspended and that the following bills

be placed on Second Reading today: HB 52, HB 191, HB 200, HB 294, HB 300, HB 301, HB 373, HB 374, HB 419, HB 478, HB 516, HB 528, HB 543, HB 550, HB 583, HB 592, HB 610, HB 650, HB 659, HB 667, HB 688, HB 700, HB 706, HB 722, HB 730, HB 738, HB 747, HB 755, HJR 60, HJR 69, HJR 74, HJR 71, HJR 79, HJR 84. Motion carried.

House recessed at 1:00 p.m.

House resumed at 2:00 p.m.

Mr. Speaker in the Chair.

## REPORTS OF STANDING COMMITTEES

Ryan excused at this time.

BILLS (Quilici, Chairman):

2/25/77

Correctly printed - HB 52, HB 191, HB 200, HB 294, HB 300, HB 301, HB 373, HB 374, HB 478, HB 543, HB 583, HB 610, HB 650, HB 659, HB 667, HB 688, HB 700, HB 722, HB 730, HB 738, HB 747, HB 761, HB 762, HB 771, HB 773, HB 795, HB 808, HB 815, HJR 22, HJR 60, HJR 71, HJR 74, HJR 79.

Correctly engrossed - HB 297, HB 344, HB 411, HB 420, HB 668, HJR 20.

Considered correctly engrossed - HB 213, HB 487, HB 709, HB 736, HB 745, HB 804, HJR 35, HJR 67, HJR 75, HJR 76, HJR 82.

Was signed by the Speaker on adjournment, 2/24/77 - SB 35.

TAXATION (Huennekens, Chairman):

2/25/77

HB 553, do not pass.

HB 681, do not pass.

On motion by Holmes, and in accordance with the 24-hour rule, the adverse committee report on HB 387 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Courtney, Cox, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 76

Noes: Bradley, Curtiss, Fabrega, Keyser, Metcalf.

Total 5

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: Brand, Colburn, Conroy, Cooney, Davis, Gerke, Halvorson, Kenny, Meloy, O'Keefe, Robbins, Scully, Smith, Teague, Tropila, Wyrick.

Total 16

On motion by Holmes, and in accordance with the 24-hour rule, the adverse committee report on HB 594 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Burnett, Cooney, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Eudaily,

Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Menahan, Meyer, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, Staigmillar, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Mr. Speaker.

Total 65

Noes: Bradley, Dussault, Estenson, Harper, Hirsch, Holmes, Huennekens, Kessler, Lund, Meloy, Metcalf, Mular, Nathe, Scully, South, Vincent, Waldron.

Total 17

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: Bengtson, Brand, Colburn, Conroy, Courtney, Cox, Day, Ellerd, Gerke, Kenny, Kimble, O'Keefe, Smith, Teague, Wyrick.

Total 15

On Motion by Kimble, and in accordance with the 24-hour rule, the adverse committee report on HB 690 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Dassinger, Dussault, Ellis, Eudaily, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Quilici, Robbins, Roth, Shelden, Sivertsen, South, Staigmillar, Stobie, Tropila, Uhde, Underdal, Waldron, Williams, Mr. Speaker.

Total 60

Noes: Aageson, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Estenson, Fabrega, Fagg, Fedá, Jensen, Keyser, McLane, Manuel, Meyer, Porter, Ramirez, Scully, Seifert, Tower, Turner, Vincent, Vinger, Wood, Wyrick.

Total 27

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: Colburn, Conroy, Day, Gerke, Kenny, Marks, O'Keefe, Severson, Smith, Teague.

Total 10

On motion by Kimble, and in accordance with the 24-hour rule, the adverse committee report on HB 792 was adopted by the following vote:

Ayes: R. Baeth, Bardanouve, Bengtson, Bradley, Burnett, Cooney, Cox, Curtiss, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hurwitz, Jensen, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Meyer, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Severson, Shelden, Sivertsen, South, Staigmillar, Stobie, Tropila, Turner, Underdal, Vincent, Williams, Wyrick, Mr. Speaker.

Total 61

Noes: Aageson, Barrett, Bertelsen, Brand, Courtney, Dassinger, Estenson, Gilligan, Halvorson, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Keyser, Manuel, Menahan, Metcalf, Mular, Robbins, Roth, Scully, Seifert, Tower, Uhde, Vinger, Waldron.



Total 27

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: W. Baeth, Colburn, Conroy, Day, Gerke, O'Keefe, Smith, Teague, Wood.

Total 9

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 486 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gilligan, Gould, Halvorson, Hand, Hansen, Harrington, Hirsch, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Meyer, Nathe, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Staigmiller, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 71

Noes: Brand, Cooney, Courtney, Estenson, Frates, E. Gunderson, Harper, Holmes, Huennekens, Kessler, Metcalf, Mular, Palmer, South, Uhde, Vincent, Waldron.

Total 17

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: Colburn, Gerke, Hurwitz, Marks, O'Connell, O'Keefe, Pistoria, Smith, Teague.

Total 9

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 574 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fedá, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Meyer, Nathe, O'Connell, Palmer, Pistoria, Quilici, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 79

Noes: Fagg, Holmes, Huennekens, Kimble, McLane, Metcalf, Mular, Porter, Ramirez, Vincent, Waldron.

Total 11

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: Colburn, Ellison, Gerke, Hurwitz, O'Keefe, Smith, Teague.

Total 7

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 639 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Eudaily, Fagg, Fedá, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Meloy, Menahan, Meyer, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Tower, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 68

Noes: Bradley, Brand, Estenson, Fabrega, Frates, Harper, Hirsch, Holmes, Huennekens, Kessler, Kvaalen, Manuel, Marks, Metcalf, Mular, Nathe, Robbins, Scully, Vincent, Waldron.

Total 20

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: Colburn, Ellerd, Ellison, Gerke, Hurwitz, O'Keefe, Smith, Teague, Tropila.

Total 9

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on HB 739 was adopted by the following vote:

Ayes: Aageson, R. Baeth, Barrett, Bengtson, Bradley, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gould, Halvorson, Hand, Hurwitz, Jensen, Kanduch, Kennerly, Kenny, Kropp, Kvaalen, Lien, Lory, Lund, Marks, Menahan, Meyer, Nathe, O'Connell, O'Keefe, Quilici, Ramirez, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Tower, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 59

Noes: W. Baeth, Bardanouve, Bertelsen, Brand, Cooney, Courtney, Dussault, Estenson, Gilligan, E. Gunderson, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kessler, Keyser, Kimble, Lynch, McLane, Manuel, Meloy, Metcalf, Mular, Palmer, Porter, Robbins, Vincent, Waldron.

Total 30

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: Colburn, Ellison, Gerke, Harrington, Pistoria, Smith, Teague, Tropila.

Total 8

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 740 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Brand, Courtney, Dussault, Estenson, Frates, Harper, Holmes, Huennekens, Kimble, Meloy, Uhde, Vincent, Waldron.

Total 13

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: Colburn, Ellison, Gerke, Harrington, Smith, Teague.

Total 6

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on HB 776 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Fabrega, Fagg, Feda, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Sivertsen, South, Staigmilller, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Bradley, Brand, Cooney, Courtney, Dussault, Estenson, Frates, E. Gunderson, Holmes, Huennekens, Kessler, Lynch, Meloy, Metcalf, Shelden, Uhde, Vincent, Waldron.

Total 18

Excused: J. Gunderson, Moore, Ryan.

Total 3

Absent or not voting: Colburn, Eudaily, Gerke, Severson, Smith, Teague.

Total 6

## MOTIONS

Meloy moved that the rules be suspended and that the following bills be placed on Third Reading today: HB 213, HB 487, HB 709, HB 736, HB 745, HB 758, HB 804, HJR 35, HJR 67, HJR 75, HJR 76, and HJR 82. Motion carried.

## FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 819, introduced by Holmes, Scully. Referred to Committee on Appropriations.

HB 820, introduced by Sivertsen. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

SB 27, introduced by Blaylock. Referred to Committee on State Administration.

SB 162, introduced by Himsl, Thiessen, Olson, Aber, Kolstad, Goodover, Brown, Roberts, Mathers, Lowe. Referred to Committee on State Administration.

SB 177, introduced by Dunkle, Goodover, Story, Dover, Devine. Referred to Committee on Taxation.



- SB 192, introduced by McCallum, Murphy. Referred to Committee on Local Government.
- SB 206, introduced by Lowe, Fasbender, Murray, Regan, Mathers, Olson. Referred to Committee on Business and Industry.
- SB 233, introduced by Lee, Dunkle, Blaylock, McCallum. Referred to Select Committee on Employee Compensation.
- SB 237, introduced by Roskie, Hazelbaker, Turnage, Devine, Manley, Goodover, Towe, Flynn. Referred to Committee on Business and Industry.
- SB 251, introduced by Manley. Referred to Committee on Taxation.
- SB 292, introduced by Nelson, (By Request of the Insurance Commissioner). Referred to Committee on Business and Industry.
- SB 298, introduced by Hazelbaker. Referred to Committee on Natural Resources.
- SB 305, introduced by Lee, Healy, Peterson, R. Smith, Mehrens. Referred to Committee on Business and Industry.
- SB 306, introduced by Lee, Healy, Mehrens, Peterson, R. Smith. Referred to Committee on Business and Industry.
- SB 335, introduced by Committee on Judiciary; Turnage, Chairman. Referred to Committee on Judiciary.
- SB 389, introduced by Fasbender, Stephens. Referred to Committee on Education.
- SB 391, introduced by Devine, (By Request). Referred to Committee on Business and Industry.
- SB 399, introduced by Boylan, (By Request). Referred to Committee on Public Health, Welfare and Safety.
- SB 425, introduced by Boylan, (By Request of the Department of Professional and Occupational Licensing). Referred to Committee on Local Government.
- SB 430, introduced by Committee on Labor and Employment Relations; Lee, Chairman, (By Request of the Division of Workers' Compensation). Referred to Committee on Labor and Employment Relations.
- SB 436, introduced by Towe. Referred to Committee on Labor and Employment Relations.
- SJR 36, introduced by Manning, Kolstad, Dover, Stephens. Referred to Committee on Highways and Transportation.
- SJR 37, introduced by Committee on Business and Industry; Hazelbaker, Chairman. Referred to Committee on Business and Industry.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

South in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 802 do pass. (80-3)

That HB 810 do pass. (91-0)

That HJR 10 be amended as follows:

1. Amend page 3, line 1.  
Following: "be"



Strike: "unduly" (88-1)

And as amended, do pass. (92-0)

That HJR 47 do pass. (92-1)

That HJR 58 do pass. (88-2)

That HJR 70 do pass. (88-0)

That HJR 80 do pass. (87-1)

That HJR 81 do pass. (86-0)

Ryan present at this time.

That HB 791 be amended as follows:

1. Amend title, page 1, line 10.

Following: "game;"

Insert: "to state the powers of the state fish and game commission; to provide a grievance procedure for employees of the department of fish and game;"

2. Amend title, page 2, line 5.

Following: "1947;"

Strike: "and"

Following: "sections"

Strike: "26-103,"

3. Amend title, page 2, line 6.

Following: "1947"

Insert: ", and providing an immediate effective date"

4. Amend page 2, section 1, line 17.

Following: "82A-106."

Insert: "The director is the secretary of the commission."

5. Amend page 4, section 2, lines 8 through 12.

Strike: lines 8 through 12 in their entirety

6. Amend page 19, section 15, line 19.

Following: "Sections"

Strike: "26-103,"

7. Amend page 19.

Following: line 20

Insert: "Section 16. There is a new R.C.M. section that reads as follows:

Powers of the commission. The commission shall:

(1) set the policies for the protection, preservation, and propagation of the wildlife, fish, game, furbearers, waterfowl, nongame species and endangered species of the state, and for the fulfillment of all other responsibilities of the department as provided by law;

(2) establish the hunting, fishing, and trapping rules of the department;

(3) establish the rules of the department governing the use of lands owned or controlled by the department and waters under the jurisdiction of the department;

(4) have the power within the department to establish wildlife refuges and bird and game preserves;

(5) approve all acquisitions or transfers by the department of interests in land or water; and

(6) review and approve the budget of the department prior to its transmittal to the budget office.

Section 17. There is a new R.C.M. section that reads as follows:

Director to carry out policies. The director shall carry out the policies of the commission and shall adopt rules authorized by law to implement those policies.

Section 18. There is a new R.C.M. section that reads as follows:

Grievance procedure. (1) An employee of the department, aggrieved by a serious matter of his employment based upon work conditions, supervision, or the result of an administrative action, who has exhausted all administrative remedies within the department, is entitled to a hearing before the employee appeals board designated by the department of administration, under the provisions of a grievance procedure prescribed by the board, for the resolution of his grievance.

(2) Direct or indirect interference, restraint, coercion, or retaliation by an employee's supervisor or the department against an aggrieved employee because the employee has filed or attempted to file a grievance with the board shall also be the basis for a grievance and shall entitle the employee to a hearing before the board for resolution.

(3) If, upon the preponderance of the evidence taken at the hearing, the board is of the opinion that the employee is aggrieved, it may issue an order to the department requiring such action of the department as will resolve the employee's grievance. The order of the board shall be binding upon the department.

Section 19. Effective date. This act is effective on its passage and approval." (85-7)

And as amended, do pass. (71-25)

That HB 644 be amended as follows:

1. Amend title, line 6.

Following: line 5

Strike: "fish, hunt birds, and" (87-0)

And as amended, do pass. (68-23)

That HJR 77 be amended as follows:

1. Amend page 2, line 7.

Following: "whereas,"

Strike: "with exceptions noted below,"

2. Amend page 2, lines 13 through 17.

Following: line 12

Strike: lines 13 through 17 in their entirety

3. Amend page 3, line 2.

Following: "rules"

Strike: ", other than Rules 10 and 11," (86-4)

And as amended, do pass. (67-26)

That HB 52 be amended as follows:

1. Amend title, page 1, line 5.

Following: "for"

Strike: "elderly people"

Insert: "persons 62 years of age and older and severely disabled persons"

2. Amend page 1, section 1, line 8.

Following: "elderly"

Insert: "or severely disabled"

3. Amend page 1, section 1, line 11.

Following: "Montana"

Strike: "65 years of age or older"

4. Amend page 1, section 1, line 12.

Following: "\$1"

Insert: "and:

(a) who is 62 years of age or older; or

(b) who is severely disabled"

5. Amend page 1, section 1, line 23.

Following: "holder."

Insert: "The card shall indicate whether the holder applied for the card on the basis of age, under subsection (1)(a), or on the basis of disability, under subsection (1)(b)."

6. Amend page 2, section 1.

Following: line 1

Insert: "(5) As used in this section, the term 'severely disabled person' means an individual having a permanent or long-term mental or physical disability which renders it impossible or unfeasible to operate an automobile safely. A long-term disability is a condition which may reasonably be expected to exist for 5 years or more.

(6) The division of motor vehicles shall develop an application form for identification cards issued under this section and may specify requirements to demonstrate eligibility to receive a card, including a doctor's statement of permanent or long-term disability." (83-4)

And as amended, do pass. (80-1)

That HB 191 be passed for the day.

That HB 200 do pass. (82-8)

That HB 294 be passed for the day.

That HB 300 do pass. (71-19)

That HB 301 do pass. (82-5)

That HB 373 do pass. (85-0)

That HB 374 do pass. (86-6)

That HB 419 do not pass. (62-38)

That the committee rise and report and beg leave to sit again. (South, Chairman) Report adopted.

**REPORTS OF STANDING COMMITTEES**

JUDICIARY (Scully, Chairman):

2/24/77

HB 647, introduced bill, be amended as follows:

1. Amend title, lines 8 and 9.

Strike: "to provide for a schedule of compensation and benefits for awards; to guarantee the financial responsibility of health care providers"

Insert: "to require professional liability insurance for health care providers;"

2. Amend title, lines 11 and 12.

Strike: "and the payment of awards; and otherwise amending the insurance laws with respect to such panel"

3. Amend page 3, section 6, line 2.

Following: "Section 6. Creation of panel —"

Strike: section 6 in its entirety

Insert: "method of selection — hearings. (1) The pretrial review panel consists of three physicians licensed to practice in Montana and three attorneys licensed to practice in Montana.

(2) The attorney members shall be appointed by the state bar of Montana and the physician members by the Montana medical association.

(3) The three attorney members shall select one of their number as chairman of the panel.

(4) Panel members shall be appointed within 30 days after receipt by the respective associations of a claim for review. Panel members shall serve until the panel has communicated its determination to the parties involved and approved any settlement agreement or determined that settlement discussions have or should be terminated.

(5) A panel member shall disqualify himself from consideration of any case in which the member determines his presence would be inappropriate. The secretary may excuse an appointed panelist from serving.

(6) At least two attorneys and two physicians are necessary for a quorum for holding a hearing or rendering a final decision under this act.

(7) In a case involving a health care provider other than a physician, a panel member practicing the same profession as involved in the claim shall sit on the panel in place of a physician. In a case involving a physician and a health care provider other than a physician, a representative practicing the same profession as the health care provider involved shall sit on the panel in addition to the six regular members. Such additional member shall be appointed by the panel members."

4. Amend page 4, section 7, line 21 through line 4 on page 5.

Following: line 20

Strike: section 7 in its entirety

Renumber: subsequent sections

5. Amend page 5, section 8, line 6.

Following: "All"



Strike: "full-time"

6. Amend page 5, section 8, lines 9 through 11.

Following: line 8

Strike: lines 9 through 11 in their entirety

7. Amend page 5, section 8, subsection (3), line 17.

Following: "The"

Strike: "panel shall appoint"

Insert: "director of the Montana medical association shall appoint and set the salary of"

8. Amend page 5, section 8, subsection (4), lines 23 and 24.

Following: "(4) The"

Strike: "panel, subject to the approval of the governor,"

Insert: "secretary"

9. Amend page 6, section 8, subsection (5), line 1.

Following: "The"

Strike: "panel"

Insert: "secretary"

Following: "shall"

Strike: "provide itself with"

Insert: "obtain on behalf of the pretrial review panel"

10. Amend page 6, section 8, subsection (5), line 3.

Following: "transacted"

Strike: ". It"

Insert: "and"

11. Amend page 6, section 9, line 15.

Following: "hearing"

Strike: "panels"

Insert: "panel,"

12. Amend page 7, section 10, subsection (2), lines 4 through 9.

Following: "testify."

Strike: lines 4 through 9 in their entirety

13. Amend page 7, section 10, subsection (3), line 11.

Following: line 10

Strike: "such"

14. Amend page 7, section 11, line 16.

Following: "hearing"

Strike: "panels"

Insert: "panel"

15. Amend page 8, section 12, line 4.

Following: "but"

Strike: "will"

Insert: "shall"

Following: "conduct"

Insert: "informal"

16. Amend page 8, section 12, subsection (2), line 9.

Following: "The"

Strike: "panel"

Insert: "secretary, subject to the approval of the supreme court,"

17. Amend page 8, section 12, subsection (a), line 11.

Following: "act,"

Insert: "and"

18. Amend page 8, section 12, subsection (b), line 13.  
Following: "provisions;"  
Strike: ".,"  
Insert: " ."

19. Amend page 8.  
Following: line 13  
Insert: "(3) The panel may:"  
Renumber: subsequent subsections

20. Amend page 9, section 13, lines 10 and 11.  
Following: "determination."  
Strike: lines 10 and 11 in their entirety

21. Amend page 9, section 14, line 20.  
Following: line 19  
Strike: "defendant or defendants"  
Insert: "respondent or respondents"

22. Amend page 9, section 14, subsection (1), line 22.  
Following: "a"  
Strike: "substantial factor"  
Insert: "proximate cause"

23. Amend page 9, section 14, subsection (2), line 25.  
Following: line 24  
Strike: "defendant or defendants"  
Insert: "respondent or respondents"

24. Amend page 10, section 14, subsection (2), line 2.  
Following: "a"  
Strike: "substantial factor"  
Insert: "proximate cause"

25. Amend page 10, section 14, subsection (3), line 5.  
Following: "the"  
Strike: "defendant or defendants"  
Insert: "respondent or respondents"

26. Amend page 10, section 15, line 7.  
Following: "Award"  
Strike: "schedule"  
Following: "liability."  
Strike: "(1)"

27. Amend page 10, section 15, lines 9 and 10.  
Following: "that the"  
Strike: "defendant or defendants"  
Insert: "respondent or respondents"

28. Amend page 10, section 15, line 12.  
Following: "a"  
Strike: "substantial factor of any resultant"  
Insert: "proximate cause of any"

29. Amend page 10, section 15, lines 13 through 15.  
Following: "panel"  
Strike: lines 13 through 15 in their entirety  
Insert: "may recommend an award and approve settlement agreements. All approved settlement agreements are final and binding on all parties thereto."

30. Amend page 10, section 15, subsection (a), line 16 on page 10 through line 12 on page 13.

Following: line 15

Strike: line 16 on page 10 through line 12 on page 13 in their entirety

Renumber: subsequent sections

31. Amend page 14, section 20, line 4.

Following: "shall"

Strike: "notify concerned health care providers"

Insert: "provide all concerned parties with copies of the pleadings and other documents filed with the secretary and provide the relevant professional associations with copies of claims filed"

32. Amend page 14, section 22, line 12 through line 11 page 15.

Following: line 11

Strike: section 22 in its entirety

Renumber: subsequent sections

33. Amend page 15, section 23, line 12.

Following: "Section 23."

Strike: "Proof of financial responsibility — insurance, cash or surety bond"

Insert: "Requirement for insurance or self-insurance"

Following: "bond."

Strike: subsection (1) in its entirety

34. Amend page 15, section 23, subsection (2), lines 18 and 19.

Following: "provider"

Strike: ", except as provided by (section 24)\*"

35. Amend page 16, section 23, subsection (a), line 5.

Following: "act"

Strike: ", except as provided by (section 24)\*,"

36. Amend page 16, section 24, lines 16 and 17.

Following: "failure"

Strike: "to provide proof of financial responsibility — failure"

37. Amend page 16, section 24, line 20.

Following: "act"

Strike: ", except as provided in (section 26)\*"

38. Amend page 16, section 24, lines 22 and 23.

Following: line 21

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

39. Amend page 16, section 24, subsection (b), line 25.

Following: line 24

Strike: "26"

Insert: "21"

40. Amend page 17, section 24, subsection (2), line 10.

Following: "act"

Strike: ", except as provided in (section 26)\*"

41. Amend page 17, section 25, line 12 through line 19 on page 19.

Following: line 11

Strike: sections 25, 26 and 27 in their entirety

Insert: "Section 20. Panel determination not admissible. The determination of the hearing panel is not admissible as evidence in any action subsequently brought in any court of law. Panelists

may not be called to testify in any action subsequently brought in any court of law, and panelists and witnesses are immune from civil liability for all communications, findings, opinions, and conclusions made in the course and scope of the duties prescribed by this act. No statement made by any person during a hearing before the panel may be used as impeaching evidence in court.

Section 21. Funding. (1) There is created a pretrial review panel fund to be collected by the secretary for exclusive use for the purposes stated in this act. The fund and any income from it shall be held in trust, deposited in an account, invested and reinvested by the secretary with the prior approval of the director of the Montana medical association, and may not become a part of or revert to the general fund of this state, but shall be open to inspection and auditing by the legislative auditor.

(2) To establish the fund, an annual surcharge shall be levied on all health care providers. The amount of the assessment shall be set by the secretary, who shall allocate a projected cost among health care providers on a per capita basis and such other relevant factors as the secretary designates by rule. Surplus funds, if any, over and above the amount required for the annual administration of this act shall be retained by the secretary and used to finance the administration of this act in succeeding years, in which event the secretary shall reduce the annual assessment in subsequent years, commensurate with the proper administration of this act.

(3) The annual surcharge is due and payable on the same date as license fees payable to the state of Montana are due."

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on the HB 231 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Wood, Wyrick.

Total 79

Noes: Bertelsen, Bradley, Brand, Dussault, Frates, Gerke, Holmes, Severson, Teague, Vincent, Williams.

Total 11

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Driscoll, Ellerd, Hurwitz, Kimble, Lien, Sivertsen, Smith, Waldron.

Total 8

On motion by Meloy, and in accordance with the 24-hour rule, the adverse committee report on HJR 87 was adopted by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Feda, Frates, Gilligan, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kvaalen, Lund, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.

Total 70

Noes: Burnett, Curtiss, Ellison, Ernst, Fabrega, Fagg, Gerke, Gould, Huennekens, Kessler, Keyser, Lory, Marks, Meyer, Ramirez, South, Uhde, Underdal, Wood.

Total 19

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Hurwitz, Kropp, Lien, Lynch, McLane, Quilici, Sivertsen, Smith, Waldron.

Total 9

Objection raised by Driscoll on 2/25/77 on adverse committee report on HB 553. Referred to Second Reading.

### MOTIONS

Marks moved that the House reconsider its action taken in adopting the adverse committee report on HB 387. Motion carried.

Meloy moved that the House reconsider its action taken in passing HB 715 on Third Reading yesterday. Motion carried.

Meloy moved that HB 715 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

Meloy moved that HB 569 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

Barrett moved that HB 564 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

Shelden moved that SB 227 be rereferred from the Committee on Local Government to the Committee on Natural Resources. Motion carried.

Burnett moved that HB 191 be rereferred from Second Reading to the Committee on Taxation. Motion carried.

### REPORTS OF STANDING COMMITTEES

RULES (Meloy, Chairman):

2/25/77

Senate Amendment to Joint Rules, be amended as follows:

1. Amend page 32, section 6-34, line 4.

Following: "after the"

Strike: "fifty-fifth"

Insert: "eightieth"

Following: "thereof."

Insert: "Any bill, resolution or amendment that shall have passed third reading on the final day of transmittal shall be considered as having been transmitted timely."

And as amended, be concurred in. Report adopted.

Objection raised by Moore on 2/25/77 on adverse committee report on HB 387. Referred to Second Reading.

### MOTIONS

Meloy moved that the Senate be informed of the adoption of the Senate Amendment to the Joint Rules. Motion carried.

Meloy moved that the rules be suspended and that all bills that pass Second Reading today be placed on Third Reading. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

South in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 478 do pass. (88-0)

That HB 516 do pass. (85-0)

That HB 528 be amended as follows:

1. Amend the title, line 6.

Following: "the"

Strike: "corporate"

Insert: "incorporated"

2. Amend page 4, section 1, subsection (12), lines 15 and 16.

Following: "homes."

Strike: "Except within the corporate limits of a municipality, (A) a"

Insert: "A"

3. Amend page 4, section 1, subsection (12), line 23.

Following: line 22

Strike: "corporate"

Insert: "incorporated"

4. Amend page 7, section 2, subsection (6)(d), lines 17 and 18.

Following: "parcel"

Strike: "lies outside the corporate"

Insert: "does not lie within the incorporated" (69-19)

(Material in parentheses denotes cancelled type.)

And as amended, do not pass. (71-21)

That HB 543 be placed below HB 550 on the board.

That HB 550 be amended as follows:

1. Amend page 2, line 11.

Following: "plat"

Strike: "has been"

Insert: "is"

2. Amend page 2, line 12.

Following: "11-3876"

Insert: ", after the passage and approval of this act,"

3. Amend page 2, line 19.

Following: "land"

Insert: ", created after the passage and approval of this act,"

Following: "containing"

Strike: "40"

Insert: "20"

4. Amend page 3, line 7.

Following: "are"

Strike: "40"

Insert: "20"

5. Amend page 3, line 8.

Following: "is"

Strike: "40"

Insert: "20"

6. Amend page 3, line 10.

Following: "is"

Strike: "40"

Insert: "20"

7. Amend page 3, line 12.

Following: "of"

Strike: "40"

Insert: "20" (74-15)

And as amended, do not pass. (69-27)

That HB 543 be amended as follows:

1. Amend page 5, section 1, lines 15 and 16.

Strike: "40 acres on"

Following: "less"

Insert: "than 20 acres"

2. Amend page 5, section 1, line 20.

Strike: "40 acres or less"

Following: "of"

Insert: "less than 20 acres"

3. Amend page 6, section 1, lines 4 and 5.

Strike: "40 acres less"

Following: "less"

Insert: "than 20 acres"

4. Amend page 6, section 2, line 22.

Strike: "1/16"

Insert: "1/32" (87-6)

And be further amended:

1. Amend page 9, section 2.

Following: line 10

Insert: "(b) single divisions made for the purpose of transferring title to a member of the grantor's immediate family where the division leaves no remaining parcels of 20 acres or less. Only one conveyance of land to each member of the grantor's immediate family is eligible for this exemption,"

Renumber: subsequent subsections (60-31)

And as amended, do pass. (50-47)

That HB 583 do pass. (90-0)

That HB 592 be passed for the day.

That HB 610 be passed to the 49th Legislative Day.

That HB 650 do pass. (86-7)

That HB 659 do pass. (80-5)

That HB 667 do pass. (58-30)

That HB 679 do not pass. (56-44)

That HB 688 do pass. (73-19)

That HB 700 do pass. (61-32)

That HB 706 be passed for the day.

That HB 722 be passed for the day.

That HB 730 do pass. (87-3)

That HB 738 be amended as follows:

1. Amend page 25, section 12, subsection (3), line 1.

Following: "(3)"

Insert: "All foster homes licensed by the social and rehabilitation services, established shall be financed by the department of social and rehabilitation services as set forth in section 71-210(b), R.C.M. 1947." (82-0)

And as amended, do pass. (88-0)

Meloy replaced South in the Chair.

That HB 747 be amended as follows:

1. Amend page 3, line 11.

Strike: "80%"

Insert: "75%" (72-6)

And as amended, do pass. (85-1)

South resumed the Chair.

That HB 755 be amended as follows:

1. Amend page 3, section 4, line 11.

Following: "county"

Strike: "assessor"

Insert: "treasurer"

2. Amend page 3, section 4, line 18.

Following: "correct the"

Strike: "levy"

Insert: "assessment"

3. Amend page 3, section 4, line 19.

Following: "county"

Strike: "assessor"

Insert: "treasurer" (91-0)



And as amended, do pass. (90-2)

That HJR 60 do pass. (66-26)

That HJR 69 be passed to the 55th Legislative Day.

That HJR 71 do pass. (90-2)

That HJR 74 be passed to the 48th Legislative Day.

That HJR 79 do pass. (87-3)

That HJR 84 do pass. (72-15)

That the committee rise and report and beg leave to sit again. (South, Chairman) Report adopted.

### MOTIONS

Meloy moved that the rules be suspended and that all bills received from Printing this day be placed on Second Reading. Motion carried.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

2/25/77

Correctly printed - HB 70 amendments only, HB 407, HB 466, HB 538, HB 595, HB 664, HB 754, HB 770, HB 782, HB 787, HB 800, HB 801.

Correctly engrossed - HB 331, HB 588, HB 707, HB 724, HB 768, HJR 63, HJR 83.

Considered correctly engrossed - HB 61, HB 77, HB 156, HB 307, HB 360, HB 438, HB 622, HB 663, HB 672, HB 805, HJR 15, HJR 61, HJR 73, HJR 78, HJR 85.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 70 do pass. (89-2)

That HB 407 be placed below HB 795 on the Second Reading board.

That HB 466 do not pass. (65-32)

That HB 538 be amended as follows:

1. Amend page 3, subsection (4), line 8.

Following: "land"

Insert: "The four aforementioned limitations only apply to the sites for reservoirs necessary for collecting and storing water and in no way limit the public uses previously set forth."

2. Amend page 4, line 5.

Following: "land."

Insert: "The four aforementioned limitations only apply to the sites for reservoirs necessary for collecting and storing water and in no way limit the public uses previously set forth." (77-9)

And as amended, do not pass. (63-33)

That HB 595 be amended as follows:

1. Amend title, page 1, line 7.

Following: "sections"

Strike: lines 7 through 9 in their entirety

Insert: "11-3910 and 11-3921, R.C.M. 1947; repealing sections 11-3922, 11-3923, 11-3924, and 11-3925, R.C.M. 1947; and providing an" (83-1)

And as amended, do pass. (73-12)

That HB 664 do pass. (74-12)

That HB 754 be passed for the day.

That HB 761 do pass. (66-23)

That HB 762 do pass. (81-11)

That the committee rise and report. (Lynch, Chairman) Report adopted.

### MOTIONS

Meloy moved that the rules be suspended and all bills which pass Second Reading today and tomorrow be placed on Third Reading. Motion carried.

Meloy moved to pass consideration of the following bills on Third Reading: HB 213, HB 534, HB 297, and HB 344. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 487 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennkens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Halvorson, Kenny, Nathe, Porter, Ramirez, Smith, Tower, Vinger.

Total 8

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Davis, McLane, O'Connell, Scully, Sivertsen, Turner.

Total 7

House Bill No. 709 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen,

Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Hurwitz, O'Connell, Sivertsen, Turner.

Total 5

House Bill No. 736 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sheldon, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Burnett, Ellerd, Ellison, Roth.

Total 4

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Scully, Sivertsen, Turner.

Total 5

House Bill No. 745 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sheldon, South, Staigmilller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88



Noes: Brand, Burnett, Roth, Smith.

Total 4

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Kvaalen, O'Connell, Scully, Sivertsen, Turner.

Total 6

House Bill No. 758 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Bill No. 804 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Burnett, Nathe, Roth.

Total 3

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Bengtson, Ellis, O'Connell, Sivertsen, Smith, Turner.

Total 7

Abstained: Keyser.

Total 1



House Joint Resolution No. 35 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmillier, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 89

Noes: Burnett, Ellison, Smith, Wood, Wyrick.

Total 5

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Joint Resolution No. 67 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Smith, South, Staigmillier, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Bardanouve, Bertelsen, Keyser, Lory, Stobie, Tower, Vinger.

Total 7

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Kimble, O'Connell, Severson, Sivertsen, Turner.

Total 6

House Joint Resolution No. 75 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower,

Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Keyser, Lory.

Total 2

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Gould, O'Connell, Severson, Sivertsen, Turner.

Total 6

House Joint Resolution No. 76 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Bertelsen.

Total 1

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Ellis, O'Connell, Roth, Sivertsen, Turner.

Total 6

House Joint Resolution No. 82 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 75

Noes: Bardanouve, Barrett, Bradley, Cooney, Dassinger, Dussault, Fagg, Harper, Holmes, Jensen, Kessler, Kimble, Kvaalen, Meloy, Metcalf, Uhde, Vincent, Waldron.

Total 18

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Mular, O'Connell, Sivertsen, Turner.

Total 5

House Bill No. 61 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lien, Lynch, McLane, Meloy, Menahan, Metcalf, Mular, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, South, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 63

Noes: Bardanouve, Brand, Burnett, Curtiss, Davis, Ellerd, Ellison, Ernst, Estenson, Fabrega, Hirsch, Hurwitz, Jensen, Johnston, Keyser, Kropp, Kvaalen, Lory, Lund, Manuel, Marks, Meyer, Nathe, Seifert, Smith, Staigmiller, Stobie, Tower, Wood, Wyrick.

Total 30

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Severson, Sivertsen, Turner.

Total 5

House Bill No. 77 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Shelden, Smith, South, Staigmiller, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Burnett, Holmes, Severson.

Total 3

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Davis, O'Connell, Roth, Sivertsen, Stobie, Turner.

Total 7

House Bill No. 156 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 76



Noes: Bertelsen, Conroy, Cox, Davis, Ellison, Fabrega, Feda, Hirsch, Marks, Meyer, O'Keefe, Roth, Seifert, Smith, Tower, Vinger, Wood.

Total 17

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Burnett, O'Connell, Sivertsen, Turner.

Total 5

House Bill No. 307 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorsen, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Burnett, Curtiss, Estenson, Fabrega, Huennekens, Keyser, Metcalf, Meyer, Uhde, Waldron.

Total 10

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Lynch, O'Connell, Sivertsen, Turner.

Total 5

House Bill No. 331 was passed by the following vote:

Ayes: R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gould, Halvorsen, Hand, Hansen, Harper, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Nathe, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: W. Baeth, Cooney, Courtney, Cox, Dassinger, Estenson, Frates, Gilligan, E. Gunderson, Harrington, Huennekens, Jensen, Kimble, Lien, Lynch, Metcalf, Mular, Ryan, Waldron.

Total 19

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Porter, Sivertsen, Turner.

Total 5

House Bill No. 360 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley,



Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 79

Noes: Bertelsen, Burnett, Curtiss, Davis, Ellerd, Feda, Hurwitz, Kenny, Kvaalen, Roth, Smith, Tower, Vinger, Wood, Wyrick.

Total 15

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Ageson, O'Connell, Sivertsen, Turner.

Total 4

House Bill No. 411 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Ageson, O'Connell, Sivertsen, Turner.

Total 4

House Bill No. 420 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Sheldon, South, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Burnett, Hurwitz, Kenny, Ryan, Smith, Staigmiller.

Total 6

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Bill No. 438 was passed by the following vote:

Ayes: R. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Dassinger, Davis, Dussault, Ellis, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tower, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: W. Baeth, Bengtson, Conroy, Curtiss, Day, Ellerd, Ernst, Estenson, Hand, Kessler, Keyser, Lynch, McLane, Mular, Quilici, Roth, Smith, Tropila, Uhde.

Total 19

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Ellison, O'Connell, Sivertsen, Turner.

Total 5

House Bill No. 668 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, South, Staigmiller, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Barrett, Conroy, Ernst, Feda, Hand, Jensen, McLane, Manuel, Seifert, Smith, Stobie, Vinger.

Total 12

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Burnett, O'Connell, Sivertsen, Turner.

Total 5

House Bill No. 805 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes,

Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Scully.

Total 1

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Bardanouve, O'Connell, Sivertsen, Turner.

Total 5

House Joint Resolution No. 15 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Hand.

Total 1

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Shelden, Sivertsen, Turner.

Total 5

House Joint Resolution No. 20 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: J. Gunderson, Moore.



Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Joint Resolution No. 61 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 90

Noes: Ellerd, Staigmiller, Wyrick.

Total 3

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Kimble, O'Connell, Sivertsen, Turner.

Total 5

House Joint Resolution No. 73 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Kimble, O'Connell, Sivertsen, Turner.

Total 5

House Joint Resolution No. 78 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedá, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund,



Lynch, McLane, Manuel, Marks, Menahan, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vinger, Williams, Wood, Wyrick.  
Total 81

Noes: Bardanouve, Bradley, Dussault, Fagg, Frates, Harper, Kessler, Meloy, Metcalf, Ramirez, Vincent, Waldron, Mr. Speaker.  
Total 13

Excused: J. Gunderson, Moore.  
Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.  
Total 4

House Joint Resolution No. 83 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 83

Noes: Brand, Conroy, Ellerd, Feda, Hand, Jensen, Seifert, Smith, Tower, Wood.  
Total 10

Excused: J. Gunderson, Moore.  
Total 2

Absent or not voting: Aageson, Kvaalen, O'Connell, Sivertsen, Turner.  
Total 5

House Joint Resolution No. 85 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 85

Noes: Curtiss, Ellison, Feda, Holmes, Jensen, Kvaalen, Smith, Tower, Vinger.  
Total 9

Excused: J. Gunderson, Moore.  
Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Bill No. 588 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, South, Staigmilller, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 66

Noes: Barrett, Burnett, Colburn, Cox, Curtiss, Davis, Day, Ellerd, Ellison, Fedra, Gould, Hand, Jensen, McLane, Marks, Nathe, Pistoria, Roth, Seifert, Smith, Stobie, Teague, Tower, Tropila, Underdal, Vinger, Wood, Wyrick.

Total 28

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Bill No. 724 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Mular, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmilller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 86

Noes: Ellison, Hand, Nathe, Smith, Tower, Vinger, Wyrick.

Total 7

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Meloy, O'Connell, Sivertsen, Turner.

Total 5

House Joint Resolution No. 63 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, South, Staigmilller, Stobie,

Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 82

Noes: Brand, Conroy, Ellison, Feda, Jensen, Seifert, Smith, Tower, Vinger, Wyrick.  
Total 10

Excused: J. Gunderson, Moore.  
Total 2

Absent or not voting: Aageson, Colburn, O'Connell, Roth, Sivertsen, Turner.  
Total 6

Meloy moved that HB 768 be passed for the day. Motion carried.

House Bill No. 478 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 90

Noes: None.  
Total 0

Excused: J. Gunderson, Moore.  
Total 2

Absent or not voting: Aageson, Bengtson, Bradley, Nathe, O'Connell, Sivertsen, Stobie, Turner.  
Total 8

House Bill No. 516 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Stobie, Teague, Tower, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 93

Noes: Tropila.  
Total 1

Excused: J. Gunderson, Moore.



Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

Marks moved that HB 543 be passed for the day. Motion carried.

House Bill No. 583 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Smith, Turner, Wood.

Total 6

House Bill No. 650 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmiller, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Burnett, Kennerly, Manuel, Stobie.

Total 4

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Bill No. 659 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg,



Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Burnett, Cox, Ellerd, Ellison, Kropp, Smith, Stobie, Tower, Underdal.

Total 9

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Holmes, O'Connell, Severson, Sivertsen, Turner.

Total 6

House Bill No. 667 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lory, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, South, Teague, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 67

Noes: Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Feda, Hand, Jensen, Keyser, Lien, Lund, Manuel, Nathe, Pistoria, Roth, Seifert, Smith, Staigmiller, Stobie, Tower, Tropila, Vinger, Wyrick.

Total 26

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Mular, O'Connell, Sivertsen, Turner.

Total 5

House Bill No. 688 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 75

Noes: Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Feda, Hurwitz, Jensen, Lory, Porter, Seifert, Smith, Stobie, Tower, Underdal, Vinger, Wyrick.

Total 18

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Roth, Sivertsen, Turner.

Total 5

House Bill No. 700 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, O'Keefe, Palmer, Pistoria, Robbins, Ryan, Scully, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 62

Noes: Barrett, Bengtson, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Eudaily, Fagg, Hurwitz, Jensen, Kropp, Kvaalen, Lynch, McLane, Marks, Nathe, Porter, Quilici, Ramirez, Roth, Seifert, Severson, Smith, Stobie, Tower, Underdal, Vinger, Wyrick.

Total 31

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Estenson, O'Connell, Sivertsen, Turner.

Total 5

House Bill No. 730 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Burnett, Palmer.

Total 2

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Bill No. 738 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny,

Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, South, Staigmillier, Stobie, Teague, Tower, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Burnett, Feda, Lund, Seifert, Smith, Underdal, Vinger.

Total 7

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Ageson, O'Connell, Sivertsen, Turner.

Total 4

House Bill No. 747 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 90

Noes: Halvorson, Wood.

Total 2

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Ageson, Bardanouve, O'Connell, Sivertsen, Turner, Underdal.

Total 6

House Bill No. 755 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Seifert.

Total 1

Excused: J. Gunderson, Moore.

Total 2



Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Joint Resolution No. 60 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 75

Noes: Barrett, Bertelsen, Brand, Burnett, Ellison, Fedá, Hand, Kanduch, Kennerly, Kenny, Lory, Menahan, Meyer, Ryan, Smith, Stobie, Tower, Underdal, Wyrick.

Total 19

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Sivertsen, Turner.

Total 4

House Joint Resolution No. 71 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Smith, South, Staigmiller, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Brand, Cox, Palmer, Stobie.

Total 4

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Porter, Severson, Sivertsen, Turner.

Total 6

House Joint Resolution No. 79 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund,



Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Cooney, Palmer, Waldron.

Total 3

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, O'Connell, Scully, Sivertsen, Turner.

Total 5

House Joint Resolution No. 84 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 65

Noes: Bardanouve, Brand, Burnett, Cox, Curtiss, Davis, Ellison, Ernst, Feda, E. Gunderson, Jensen, Kenny, Keyser, Kropp, McLane, Marks, Porter, Ramirez, Roth, Seifert, Severson, Smith, Staigmiller, Stobie, Tower, Underdal, Vinger, Wyrick.

Total 28

Excused: J. Gunderson, Moore.

Total 2

Absent or not voting: Aageson, Ellerd, O'Connell, Sivertsen, Turner.

Total 5

### MOTIONS

Meloy moved that HB 768 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

Meloy moved that HB 797 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Meloy moved that HB 183, HB 811, HB 592, HB 294, and HJR 69 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

Meloy moved that HB 754 be rereferred from Second Reading to the Committee on Taxation. Motion carried.

Meloy moved that the House adjourn until 10:00 a.m., February 26, 1977.

Motion carried.

House adjourned at 11:55 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## FORTY-EIGHTH LEGISLATIVE DAY

Helena, Montana  
February 26, 1977

House Chambers  
Capitol Building

House convened at 10:00 a.m., Mr. Speaker Pro Tem Brand in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except J. Gunderson, excused; Aageson, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

2/26/77

Correctly engrossed - HB 286, HB 343, HB 426, HJR 25.

Considered correctly engrossed - HB 346, HB 457, HB 558, HB 656, HB 658, HB 763, HB 788, HB 797, HB 809.

Correctly printed - HB 387, HB 462, HB 553, HB 604, HB 661, HB 685, HB 756, HB 816.

### MESSAGES FROM THE GOVERNOR

February 25, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that I have this day approved House Bill Nos. 64 and 167.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Resolutions passed by the Senate and transmitted  
to the House for concurrence:

2/25/77

Senate Joint Resolution No. 16, introduced by Brown

Senate Joint Resolution No. 22, introduced by Hager

Senate Joint Resolution No. 23, introduced by Brown, Roberts, et al

Senate Joint Resolution No. 24, introduced by Jergeson, Etchart, et al

Senate Joint Resolution No. 27, introduced by Jergeson, Etchart, Kolstad

Senate Joint Resolution No. 29, introduced by Brown, Roberts, et al

Senate Joint Resolution No. 34, introduced by Goodover, McOmber, Murphy

Senate Joint Resolution No. 38, introduced by Rasmussen

Bill passed by the Senate and transmitted to the House  
for concurrence:

2/25/77

Senate Bill No. 179, introduced by McCallum, Etchart, Mathers, Lensink, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, transmitted with the following vote:

SENATE

YEAS - 47

NAYS - 3

Bill passed by the Senate and transmitted to the House  
for concurrence:

2/25/77

Senate Bill No. 238, introduced by Manning, Galt, Dover, Graham, Manley, Mathers, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, transmitted with the following vote:

SENATE

YEAS - 35

NAYS - 14

Bill passed by the Senate and transmitted to the House  
for concurrence:

2/25/77

Senate Bill No. 344, introduced by Brown, Himsl, Rasmussen, Goodover, Olson, Roskie, Dunkle, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, transmitted with the following vote:

SENATE

YEAS - 26

NAYS - 24

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/25/77

Senate Bill No. 41, introduced by Towe, Turnage

Senate Bill No. 80, introduced by Roberts (by request)

Senate Bill No. 106, introduced by Dunkle, Rasmussen

Senate Bill No. 138, introduced by Mathers, Fasbender

Senate Bill No. 160, introduced by Towe

Senate Bill No. 228, introduced by Warden, Regan (by request)

Senate Bill No. 269, introduced by Blaylock (by request)

Senate Bill No. 290, introduced by Murray (by request)

Senate Bill No. 307, introduced by Story (by request)

Senate Bill No. 327, introduced by Regan, Fasbender

Senate Bill No. 363, introduced by Kolstad, Roberts, et al

Senate Bill No. 367, introduced by Devine (by request)

Senate Bill No. 375, introduced by Devine (by request)

Senate Bill No. 376, introduced by Boylan, Story, et al

Senate Bill No. 380, introduced by Towe

Senate Bill No. 382, introduced by Towe, E. Smith

Senate Bill No. 392, introduced by Devine (by request)

Senate Bill No. 420, introduced by Aber, Kolstad, Olson

Senate Bill No. 429, introduced by Lockrem, Regan, et al

Senate Bill No. 433, introduced by R. Smith, Lee, et al

Senate Bill No. 442, introduced by Flynn

Bill concurred in by the Senate and returned  
to the House:

2/25/77

House Bill No. 317, introduced by Lien, Johnston (by request)

### REPORTS OF STANDING COMMITTEES

On motion by South, and in accordance with the 24-hour rule, the adverse committee report on HB 170 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, Halvorson, Hand, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, O'Keefe, Porter, Ramirez, Roth, Ryan, Scully, Seifert, Severson, South, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick.  
Total 73

Noes: Brand, Cooney, Courtney, Hansen, Keyser, Lynch, Mular, Nathe, Quilici, Robbins, Teague.  
Total 11

Excused: J. Gunderson.  
Total 1

Absent or not voting: Aageson, Ernst, Gilligan, Hirsch, Lund, Marks, O'Connell, Palmer, Pistoria, Shelden, Sivertsen, Smith, Waldron, Williams, Mr. Speaker.  
Total 15

On motion by Meloy, and in accordance with the 24-hour rule, the adverse committee report on HB 662 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, O'Connell, Palmer, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Smith, South, Staigmillier, Teague, Tower, Tropila, Turner, Underdal, Vincent, Wood.  
Total 71



Noes: Barrett, Brand, Cooney, Fabrega, Fagg, Harper, Holmes, Jensen, Kessler, Keyser, Metcalf, Mular, Nathe, O'Keefe, Ramirez, Stobie, Uhde, Vinger, Wyrick.

Total 19

Excused: J. Gunderson.

Total 1

Absent or not voting: Ageson, Burnett, Ernst, Pistoria, Shelden, Sivertsen, Waldron, Williams, Mr. Speaker.

Total 9

Mr. Speaker in the Chair.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Ageson present at this time.

That HB 770 do not pass. (54-44)

That HB 334 do pass. (88-5)

That HB 370 be amended as follows:

1. Amend page 3, section 1, lines 13 and 14.

Following: "the"

Strike: "50% of the average weekly wage shall be raised to 55%"

Insert: "maximum weekly benefit amount shall be raised to 55% of the average weekly wage" (88-2)

And as amended, do pass. (78-13)

That HB 407 be amended as follows:

1. Amend title, line 10.

Following: "79-410"

Strike: "and 79-415"

2. Amend page 8, section 2, line 3.

Following: "Section 2."

Insert: "There is a new R.C.M. section that reads as follows: Sunset provision."

3. Amend page 8, section 2, lines 4 and 5.

Following: line 3

Strike: "(Section L)\* of this act and set forth as subsections (10) through (15) of section"

Insert: "79-410 and subsections (10) through (15) of" (87-0)

(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. (86-2)

Meloy replaced Lynch in the Chair.

That HB 687 do not pass. (60-39)

That HB 706 do pass. (85-1)

That HB 711 be passed to the 49th Legislative Day.

Lynch resumed the Chair.

That HB 722 be amended as follows:

1. Amend page 1, line 19.

Following: "uranium,"

Strike: "or other minerals"

2. Amend page 2, line 1.

Following: "interests,"

Insert: "as defined,"

3. Amend page 3, line 6.

Following: "under"

Strike: "sub"

Following: "section"

Strike: "1"

Insert: "3" (86-1)

And as amended, do pass. (61-36)

That HB 771 do not pass. (57-38)

That HB 773 do pass. (75-14)

That HB 782 do pass. (82-5)

That HB 787 do pass. (93-1)

That HB 795 do pass. (95-0)

That HB 800 do pass. (87-5)

That the committee rise and report and beg leave to sit again. (Lynch, Chairman) Report adopted.

## MOTIONS

Meloy moved that HB 85 be passed to the 49th Legislative Day. Motion carried.

Meloy moved that HB 661 be rereferred from Printing to the Committee on Appropriations. Motion carried.

Meloy moved that the rules be suspended and that the following bills be placed on Second Reading today: HB 387, HB 462, HB 604, HB 685, HB 756, HB 816, and HB 647. Motion carried.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 801 do pass. (93-0)

Meloy replaced Lynch in the Chair.

That HB 803 be amended as follows:

1. Amend page 3, section 5, lines 20 and 21.

Following: "reimbursement"

Strike: "may not be less than the average weekly wage determined as provided in 87-103."

Insert: "shall be determined by the department." (84-0)

And as amended, do not pass. (57-40)

Lynch resumed the Chair.

That HB 808 do pass. (58-35)

That HJR 74 do pass. (93-0)

That HB 815 do pass. (90-3)

That HJR 22 do pass. (88-0)

Meloy replaced Lynch in the Chair.

That HB 387 be amended as follows:

1. Amend title, lines 6 and 7.

Following: "prophylactics"

Strike: "and to permit advertising for contraceptives and prophylactics in a tasteful and discreet manner"

2. Amend page 2, section 1, lines 4 and 5.

Following: "(2)(a)"

Strike: "Contraceptives or prophylactic products may be advertised only in a discreet and tasteful manner:"

Insert: "No person may display prophylactics or contraceptives in any show window, upon the streets, or in any public place other than the place of business of a licensed pharmacist or of a person licensed under subsections (3) through (7). No person may advertise prophylactics or contraceptives in any magazine, newspaper, or other publication originating or published in Montana. No person may publish or distribute from house to house or on the streets any circular, booklet, or the like for the purpose of advertising prophylactics or contraceptives. No person may by radio broadcast, outside signs on stores, billboards, or other visual or auditory means advertise prophylactics or contraceptives."

3. Amend page 3, section 1, line 11.

Following: "section."

Insert: "This section does not prevent the discreet and tasteful labeling of vending machines, shelves, or other devices used for the dispensing or displaying of prophylactics or contraceptives in the place of business of a licensed pharmacist or of a person licensed under subsections (3) through (7). This section does not prevent the furnishing, in a place of business of a licensed pharmacist or a person licensed under subsections (3) through (7) and upon request of a qualified purchaser, such printed or other information as is pertinent to the proper use of prophylactics or contraceptives. This section does not prevent advertising in those magazines of the trade press the principal circulation of which is to the medical or pharmaceutical professions or in publications having interstate circulation and originating outside of Montana." (74-8)

And as amended, do not pass. (56-28)

Bradley replaced Meloy in the Chair.

That HB 462 do pass. (67-26)

Lynch resumed the Chair.

That HB 604 be amended as follows:

1. Amend page 1, section 1, line 13 through line 9 on page 2.  
Following: line 12  
Strike: section 1 in its entirety  
Renumber: subsequent sections
2. Amend page 14, section 6, line 14 through line 16 on page 20.  
Following: line 13  
Strike: sections 6 and 7 in their entirety  
Renumber: subsequent sections
3. Amend page 22, section 9, line 20 through line 1 on page 24.  
Following: line 19  
Strike: section 9 in its entirety  
Renumber: subsequent sections
4. Amend page 25, section 11, line 11 through line 21 on page 28.  
Following: line 10  
Strike: section 11 in its entirety  
Renumber: subsequent sections (80-2)

And as amended, do pass. (48-47)

That HB 685 do pass. (75-12)

That HB 756 be passed for the day.

That HB 816 do pass. (90-0)

That HB 647 do pass. (85-2)

That the committee rise and report. (Lynch, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

### BILLS (Quilici, Chairman):

Correctly enrolled - HB 258, HB 325, HB 452.

Correctly printed - HB 647.

Considered correctly engrossed - HB 794.

2/26/77

### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

2/23/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business February 26, 1977:

Donald Molitor .....Permanent Page, Minority Leader's Office

At the beginning of business March 2, 1977, the following also be employed:

Darci Shane.....Permanent Page, Chief Clerk's Office

At the close of business February 26, 1977, the following also be terminated:

Steven Marks .....Permanent Page, Minority Leader's Office

Ronald Butzlaff.....Permanent Page, Chief Clerk's Office



Report adopted.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 681 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 79

Noes: Brand, Dussault, Estenson, Kessler, Kimble, Palmer, Uhde, Waldron.  
Total 8

Excused: J. Gunderson.  
Total 1

Absent or not voting: Ageson, Barrett, Burnett, Fagg, Jensen, Kennerly, Marks, Ramirez, Robbins, Roth, Sivertsen, Teague.  
Total 12

### MOTIONS

Meloy moved that HB 756 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

Fabrega moved that the House reconsider its action in failing to pass HB 771 on Second Reading. Lund moved the previous question. Motion carried. Thereupon Fabrega's motion failed. (49-49)

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted to the House for concurrence: 2/25/77

- Senate Bill No. 74, introduced by Story, McCallum, et al
- Senate Bill No. 122, introduced by Dunkle, Manley
- Senate Bill No. 187, introduced by Lee (by request)
- Senate Bill No. 203, introduced by Dunkle
- Senate Bill No. 221, introduced by Etchart, McCallum, et al
- Senate Bill No. 240, introduced by McCallum
- Senate Bill No. 245, introduced by Murray
- Senate Bill No. 275, introduced by McCallum (by request)
- Senate Bill No. 286, introduced by Thiessen, Devine, et al (by request)
- Senate Bill No. 309, introduced by Mathers, Turnage, Stephens
- Senate Bill No. 329, introduced by Roskie (by request)
- Senate Bill No. 359, introduced by Lowe, Manning, et al

Senate Bill No. 381, introduced by Etchart, Lockrem, et al

Senate Bill No. 384, introduced by McOmber, Nelson

Senate Bill No. 386, introduced by Murray, Devine, et al

Senate Bill No. 401, introduced by Lowe, Flynn

Senate Bill No. 403, introduced by Turnage

Senate Bill No. 413, introduced by Towe

Senate Bill No. 426, introduced by Murray, Devine, et al

Resolutions passed by the Senate and transmitted to the House  
for concurrence:

2/25/77

Senate Joint Resolution No. 4, introduced by Manley, McCallum,  
Himsl, et al

Senate Joint Resolution No. 17, introduced by E. Smith, Etchart,  
Kolstad, et al

Senate Joint Resolution No. 41, introduced by Etchart, Jergeson, et  
al

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/26/77

Senate Bill No. 83, introduced by Rasmussen, Goodover, et al (by  
request)

Senate Bill No. 125, introduced by Regan, Blaylock, Nelson

Senate Bill No. 168, introduced by Thiessen, Lowe, et al

Senate Bill No. 175, introduced by Warden, Blaylock, et al

Senate Bill No. 193, introduced by Mathers, Turnage, et al

Senate Bill No. 198, introduced by Murray, Hazelbaker, et al (by  
request)

Senate Bill No. 200, introduced by Warden, Blaylock, et al (by  
request)

Senate Bill No. 226, introduced by Story, Devine, et al

Senate Bill No. 271, introduced by Blaylock

Senate Bill No. 310, introduced by Roberts

Senate Bill No. 311, introduced by Turnage, Roberts

Senate Bill No. 336, introduced by Turnage, Hazelbaker

Senate Bill No. 355, introduced by Dover, Towe

Senate Bill No. 402, introduced by Murray, Turnage, et al

Senate Bill No. 440, introduced by Fasbender, Roberts, et al

Senate Bill No. 443, introduced by Stephens (by request)

Resolutions passed by the Senate and transmitted  
to the House for concurrence:

2/26/77

Senate Joint Resolution No. 35, introduced by Graham, Turnage, et  
al

Senate Joint Resolution No. 42, introduced by Dover, et al

Bills passed by the Senate and transmitted to the House  
for concurrence:

2/26/77

Senate Bill No. 362, introduced by Devine (by request)

Senate Bill No. 365, introduced by Roberts

Senate Bill No. 379, introduced by Towe

Senate Bill No. 393, introduced by Brown, R. Smith

Senate Bill No. 421, introduced by Thomas

Bill concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

2/26/77

House Bill No. 310, introduced by Day, Bengtson, et al

Resolution concurred in as amended  
by the Senate and returned to the House  
for concurrence in Senate Amendments:

2/26/77

House Joint Resolution No. 8, introduced by Bardanouve, South

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following Senate bills were introduced, read first time and referred  
to committees:

SB 41, introduced by Towe, Turnage, (Interim Judiciary Committee  
Bill). Referred to Committee on Judiciary.

SB 80, introduced by Select Committee on Employee Compensation;  
Roberts, Chairman. Referred to Select Committee on Employee  
Compensation.

SB 106, introduced by Dunkle, Rasmussen. Referred to Committee on  
State Administration.

SB 138, introduced by Mathers, Fasbender. Referred to Committee on  
Education.

SB 160, introduced by Towe. Referred to Committee on State Adminis-  
tration.

SB 179, introduced by McCallum, Etchart, Mathers, Lensink. Referred  
to Committee on State Administration.

SB 228, introduced by Warden, Regan. (By Request of the Department  
of Administration.) Referred to Committee on State Administration.

SB 238, introduced by Manning, Galt, Dover, Graham, Manley,  
Mathers. Referred to Committee on State Administration.

SB 269, introduced by Blaylock. (By Request of the Department of  
Health and Environmental Sciences.) Referred to Committee on  
Public Health, Welfare and Safety.

SB 290, introduced by Murray. (By Request of the State Auditor.)  
Referred to Committee on State Administration.

SB 307, introduced by Story. (By Request of the Department of Profes-  
sional and Occupational Licensing.) Referred to Committee on Busi-  
ness and Industry.

SB 327, introduced by Regan, Fasbender. Referred to Committee on  
Highways and Transportation.

SB 344, introduced by Brown, Himsl, Rasmussen, Goodover, Olson,  
Roskie, Dunkle. Referred to Committee on Rules.

SB 363, introduced by Kolstad, Roberts, Himsl, Stephens. Referred to  
Select Committee on Employee Compensation.



- SB 367, introduced by Devine, (By Request). Referred to Committee on Business and Industry.
- SB 375, introduced by Devine, (By Request). Referred to Committee on Business and Industry.
- SB 376, introduced by Boylan, Story, Turnage, Flynn, Manley, Graham, Galt, Bergren, Dover, Murray. Referred to Judiciary Subcommittee on Montana Water.
- SB 380, introduced by Towe. Referred to Select Committee on Employee Compensation.
- SB 382, introduced by Towe, E. Smith. Referred to Committee on Business and Industry.
- SB 392, introduced by Devine, (By Request). Referred to Committee on Business and Industry.
- SB 420, introduced by Aber, Kolstad, Olson. Referred to Committee on Highways and Transportation.
- SB 429, introduced by Lockrem, Regan, Fasbender, Thiessen, Mathers, Dunkle. Referred to Committee on State Administration.
- SB 433, introduced by R. Smith, Lee, Lockrem, Watt, Mehrens. Referred to Committee on Business and Industry.
- SB 442, introduced by the Committee on Natural Resources; Flynn, Chairman. Referred to Committee on Business and Industry.
- SJR 16, introduced by Brown. Referred to Committee on Judiciary.
- SJR 22, introduced by Hager. Referred to Committee on Natural Resources.
- SJR 23, introduced by Brown, Roberts, Roskie, Flynn, McCallum, Thomas, Peterson, Himsl, Rasmussen. Referred to Committee on Natural Resources.
- SJR 24, introduced by Jergeson, Etchart, Manning, Thiessen, E. Smith, Towe, Olson, Graham. Referred to Committee on Natural Resources.
- SJR 27, introduced by Jergeson, Etchart, Kolstad. Referred to Committee on Fish and Game.
- SJR 29, introduced by Brown, Roberts, McCallum, Flynn, Roskie. Referred to Committee on Taxation.
- SJR 34, introduced by Goodover, McOmber, Murphy. Referred to Committee on State Administration.
- SJR 38, introduced by Senate State Administration Committee; Rasmussen, Chairman. Referred to Committee on Labor and Employment Relations.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 52 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Severson, Shelden, South, Staigmilller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 85

Noes: Barrett, Jensen, Kanduch, Lory, Seifert, Smith, Stobie, Tower, Vinger, Wyrick.



Total 10

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 70 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Curtiss.

Total 1

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 200 was passed by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Severson, Shelden, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: W. Baeth, Brand, Courtney, Day, Jensen, Menahan, Mular, Seifert.

Total 8

Excused: J. Gunderson.

Total 1

Absent or not voting: Bradley, Kennerly, Lory, Robbins, Roth, Sivertsen.

Total 6

House Bill No. 213 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kennerly, Kessler,

Kimble, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, South, Staigmillier, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 61

Noes: Aageson, Barrett, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Feda, Gould, Hand, Hurwitz, Johnston, Kenny, Keyser, Kropp, Kvaalen, Lien, Lund, McLane, Marks, Meyer, Moore, Nathe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 39

Paired: Dussault, Fabrega, J. Gunderson, Kennerly, Robbins, Ayes; Burnett, Marks, Roth, Seifert, Sivertsen, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 297 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kessler, Keyser, Kimble, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, South, Staigmillier, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 62

Noes: Aageson, Barrett, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Feda, Gould, Hand, Hurwitz, Jensen, Johnston, Kenny, Kropp, Kvaalen, Lien, Lund, McLane, Marks, Meyer, Moore, Nathe, Pistoria, Porter, Roth, Seifert, Sivertsen, Smith, Stobie, Turner, Underdal, Vinger, Wood, Wyrick.

Total 37

Paired: Fabrega, J. Gunderson, Kennerly, Ramirez, Robbins, Ayes; Marks, Moore, Roth, Seifert, Sivertsen, Noes.

Excused: None.

Total 0

Absent or not voting: Tower.

Total 1

House Bill No. 300 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Kimble, Kropp, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Seifert, Severson, Shelden, South, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 75

Noes: Aageson, Bengtson, Burnett, Curtiss, Dussault, Ellison, Estenson, Gilligan, Halvorson, Kenny, Keyser, Kvaalen, McLane, Marks, Porter, Ramirez, Robbins, Ryan, Scully, Smith, Staigmillar, Wyrick.

Total 22

Paired: Bradley, J. Gunderson, Ayes; Marks, Robbins, Noes.

Excused: None.

Total 0

Absent or not voting: Kennerly, Roth, Sivertsen.

Total 3

House Bill No. 301 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Bardanouve, Brand, Cooney, Estenson, Frates, Huennekens, Porter, Waldron.

Total 8

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen, Smith.

Total 5

House Bill No. 344 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Ernst, Estenson, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Holmes, Huennekens, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Shelden, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 55

Noes: Barrett, Bertelsen, Burnett, Conroy, Cox, Curtiss, Davis, Ellis, Ellison, Eudaily, Fabrega, Gould, Hand, Hansen, Hirsch, Hurwitz, Jensen, Johnston, Keyser, Kropp, Kvaalen, Lien, Lory, McLane, Marks, Meyer, Moore, O'Keefe, Porter, Ramirez, Roth, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Tower, Turner, Underdal, Wood, Wyrick.

Total 44

Paired: Dussault, J. Gunderson, Kennerly, Meloy, Robbins, Ayes; Burnett, Keyser, Roth, Seifert, Sivertsen, Noes.

Excused: None.



Total 0

Absent or not voting: Ellerd.

Total 1

House Bill No. 373 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: J. Gunderson.

Total 1

Absent or not voting: Ellison, Hand, Kennerly, Robbins, Roth, Scully, Sivertsen.

Total 7

House Bill No. 374 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Brand, Ryan.

Total 2

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 534 failed by the following vote:

Ayes: R. Baeth, W. Baeth, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Dussault, Fedra, Frates, Gilligan, E. Gunderson, J. Gunderson, Hand, Harper, Hirsch, Holmes, Huennekens, Johnston, Kenny, Kessler, Kimble, Meloy, Metcalf, Meyer, Mular, O'Connell, Palmer, Robbins, Ryan, Scully, Staigmillar, Teague, Tropila, Uhde, Vincent, Waldron.



Total 38

Noes: Aageson, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Conroy, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gerke, Gould, Halvorson, Hansen, Harrington, Hurwitz, Jensen, Kanduch, Kennerly, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Moore, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, South, Stobie, Tower, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 61

Paired: Bradley, Dussault, J. Gunderson, Meloy, Robbins, Ayes; Fabrega, Kennerly, Marks, Roth, Sivertsen, Noes.

Excused: None.

Total 0

Absent or not voting: Shelden.

Total 1

House Bill No. 543 failed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Cooney, Courtney, Day, Dussault, Ellis, Fagg, Frates, Gerke, Gilligan, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kennerly, Kessler, Kimble, Lien, Lund, Meloy, Menahan, Metcalf, Palmer, Robbins, Scully, Shelden, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 40

Noes: Aageson, Barrett, Bengtson, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Gould, E. Gunderson, Hand, Hansen, Hurwitz, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lory, Lynch, McLane, Manuel, Marks, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vinger, Wood, Wyrick.

Total 60

Paired: Dussault, J. Gunderson, Holmes, Kennerly, Robbins, Ayes; Burnett, Meyer, Roth, Seifert, Sivertsen, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 595 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Scully, Seifert, Severson, Shelden, South, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 82

Noes: Burnett, Estenson, Feda, Hand, Metcalf, Pistoria, Ryan, Smith, Staigmiller, Turner, Vinger, Wood.

Total 12

Excused: J. Gunderson.

Total 1

Absent or not voting: Davis, Kennerly, Robbins, Roth, Sivertsen.

Total 5

House Bill No. 644 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 82

Noes: Davis, Ellerd, Hurwitz, Jensen, Kvaalen, Lien, Menahan, Nathe, Smith, Tower, Wood, Wyrick.

Total 12

Excused: J. Gunderson.

Total 1

Absent or not voting: Day, Kennerly, Robbins, Roth, Sivertsen.

Total 5

House Bill No. 664 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Curtiss.

Total 1

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 761 was passed by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Ryan, Severson, Shelden, South, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 70

Noes: R. Baeth, W. Baeth, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Feda, Jensen, Kenny, Kropp, Lund, Nathe, Pistoria, Scully, Seifert, Smith, Staigmillier, Tower, Vinger, Wood, Wyrick.

Total 24

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen, Stobie.

Total 5

House Bill No. 762 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Ryan, Severson, Shelden, South, Staigmillier, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 82

Noes: Bardanouve, Bertelsen, Burnett, Curtiss, Marks, Seifert, Smith, Stobie, Tower, Turner, Wyrick.

Total 11

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Quilici, Robbins, Roth, Scully, Sivertsen.

Total 6

House Bill No. 791 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Curtiss, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kenny, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ryan, Scully, Shelden, Smith, South, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Williams, Wood, Mr. Speaker.

Total 68

Noes: Aageson, Barrett, Burnett, Courtney, Cox, Dassinger, Day, Ellison, Harper, Huennekens, Jensen, Kessler, Keyser, Lynch, McLane, Mular, Nathe, Porter, Ramirez, Seifert, Severson, Stobie, Tower, Vincent, Vinger, Waldron, Wyrick.



Total 27

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 802 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmillier, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Burnett, McLane, Smith, Stobie, Tower, Turner, Waldron.

Total 7

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 810 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Joint Resolution No. 10 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes,



Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Brand, Feda, Stobie.

Total 3

Excused: J. Gunderson.

Total 1

Absent or not voting: Gerke, Kennerly, Robbins, Roth, Sivertsen.

Total 5

House Joint Resolution No. 47 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Nathe.

Total 1

Excused: J. Gunderson.

Total 1

Absent or not voting: Gerke, Kennerly, Robbins, Roth, Sivertsen.

Total 5

House Joint Resolution No. 58 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: J. Gunderson.

## Total 1

Absent or not voting: Gerke, Huennekens, Kennerly, Robbins, Roth, Sivertsen.

Total 6

House Joint Resolution No. 70 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Brand, Smith, Stobie.

Total 3

Excused: J. Gunderson.

Total 1

Absent or not voting: Bradley, Gerke, Kennerly, Robbins, Roth, Sivertsen.

Total 6

House Joint Resolution No. 80 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick.

Total 89

Noes: Brand, Jensen, Vinger, Mr. Speaker.

Total 4

Excused: J. Gunderson.

Total 1

Absent or not voting: Gerke, Kennerly, Robbins, Roth, Scully, Sivertsen.

Total 6

House Joint Resolution No. 81 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch,

Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Jensen.

Total 1

Excused: J. Gunderson.

Total 1

Absent or not voting: Hand, Kennerly, McLane, Robbins, Roth, Sivertsen.

Total 6

House Bill No. 286 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kessler, Kimble, Lien, Lory, Lynch, Meloy, Menahan, Metcalf, O'Connell, Palmer, Pistoria, Quilici, Scully, Seifert, Shelden, South, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 58

Noes: Aageson, Barrett, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Fabrega, Feda, Hand, Hurwitz, Kenny, Keyser, Kropp, Kvaalen, Lund, McLane, Manuel, Marks, Meyer, Moore, Mular, Nathe, O'Keefe, Porter, Ramirez, Ryan, Severson, Smith, Staigmiller, Stobie, Tower, Turner, Underdal, Wood, Wyrick.

Total 37

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 343 was passed by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: R. Baeth, W. Baeth, Bradley, Brand, Cooney, Courtney, Cox, Day, Dussault, Estenson, Frates, Harper, Huennekens, Kessler, Kimble, Kvaalen, Meloy, Turner, Vincent.

Total 19

Excused: J. Gunderson.

Total 1



Absent or not voting: Ellerd, Hirsch, Kennerly, Robbins, Roth, Sivertsen.  
Total 6

House Bill No. 346 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ryan, Scully, Severson, Shelden, South, Staigmillier, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 80

Noes: Barrett, Burnett, Curtiss, Davis, Ellerd, Kropp, McLane, Porter, Ramirez, Seifert, Smith, Stobie, Tower, Underdal, Wood.

Total 15

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 457 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Burnett, Day, Stobie.

Total 3

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 558 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell,



O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Bradley, Estenson, Harper, Hirsch, Vincent.

Total 5

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 656 was passed by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: W. Baeth, Frates, Jensen, Keyser, O'Keefe, Palmer, Severson, Shelden.

Total 8

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, McLane, Robbins, Roth, Sivertsen.

Total 5

House Bill No. 658 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmillier, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 85

Noes: Burnett, Davis, Ernst, McLane, Smith, Tower, Turner, Underdal, Wood, Wyrick.

Total 10

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

## Total 4

House Bill No. 763 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Lynch, Robbins, Roth, Sivertsen.

Total 5

House Bill No. 788 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Sheldon, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Wood, Mr. Speaker.

Total 81

Noes: Brand, Burnett, Conroy, Davis, Ellerd, Ellis, Gerke, Kenny, Pistoria, Smith, Underdal, Williams, Wyrick.

Total 13

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Lynch, Robbins, Roth, Sivertsen.

Total 5

House Bill No. 794 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmilller, Stobie,

Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: J. Gunderson.

Total 1

Absent or not voting: Johnston, Kennerly, Lynch, Robbins, Roth, Sivertsen.

Total 6

House Bill No. 809 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Joint Resolution No. 25 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmilller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Courtney, Dassinger, Frates, Lynch, O'Connell, Quilici, Smith, Tropila, Williams.

Total 9

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen, Waldron.

Total 5



House Joint Resolution No. 77 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Fagg, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Lien, Lynch, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Ryan, Scully, Severson, Shelden, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Wood, Mr. Speaker.

Total 65

Noes: Barrett, Bertelsen, Cox, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Gerke, Jensen, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meyer, Moore, Pistoria, Seifert, Smith, Tower, Underdal, Vinger, Waldron, Williams, Wyrick.

Total 30

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 334 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Shelden, Severson, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Brand, Cooney, Courtney, Estenson, Jensen, Mular.

Total 6

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 370 was passed by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick.



Total 79

Noes: R. Baeth, W. Baeth, Brand, Courtney, Curtiss, Gilligan, Harrington, Kanduch, Lynch, Menahan, Mular, O'Connell, Quilici, Turner, Waldron, Mr. Speaker.

Total 16

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 407 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Kenny.

Total 1

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 706 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Bardanouve.

Total 1

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 722 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Dassinger, Day, Dussault, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Quilici, Severson, Shelden, Smith, South, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 63

Noes: Barrett, Burnett, Conroy, Courtney, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Hand, Kenny, Kropp, Lory, Marks, O'Connell, Pistoria, Porter, Ramirez, Ryan, Scully, Seifert, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Wood, Wyrick.

Total 32

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 773 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Scully, Seifert, Severson, Shelden, South, Staigmiller, Teague, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 78

Noes: Burnett, Conroy, Ellis, Ellison, Hand, Harper, Kenny, Kvaalen, Lory, O'Connell, Ryan, Smith, Stobie, Tropila, Wood.

Total 15

Excused: J. Gunderson.

Total 1

Absent or not voting: Davis, Halvorson, Kennerly, Robbins, Roth, Sivertsen.

Total 6

House Bill No. 782 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Brand, Cooney, Courtney, Cox, Day, Ryan.

Total 6

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 787 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Day, Nathe.

Total 2

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 795 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 800 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson,



Bertelsen, Bradley, Brand, Burnett, Colburn, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Seifert, Severson, Shelden, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Conroy, Courtney, Keyser, Scully, Smith.

Total 5

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 801 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

Meloy moved that HB 808 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

House Joint Resolution No. 74 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Severson, Shelden, Smith, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 91

Noes: Seifert.

Total 1

Excused: J. Gunderson.

Total 1

Absent or not voting: Ellis, Huennekens, Kennerly, Robbins, Roth, Sivertsen, South.

Total 7

House Bill No. 815 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Sheldon, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Davis, Ellerd, Smith, Tower.

Total 4

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Joint Resolution No. 22 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 462 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, South, Stobie, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 76

Noes: Bertelsen, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Feda, Lien, McLane, Moore, Smith, Staigmillar, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 19

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 604 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kessler, Kimble, Lien, Lory, Lynch, McLane, Meloy, Menahan, Metcalf, Nathe, Palmer, Porter, Quilici, Ramirez, Scully, Shelden, South, Teague, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 52

Noes: Aageson, Barrett, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Fabrega, Feda, Gould, Hand, Hansen, Hurwitz, Jensen, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lund, Manuel, Marks, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, Staigmillar, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Wood, Wyrick.

Total 46

Paired: Bradley, J. Gunderson, Meloy, Ayes; Mular, Roth, Sivertsen, Noes.

Excused: None.

Total 0

Absent or not voting: Kennerly, Robbins.

Total 2

House Bill No. 685 was passed by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Scully, Seifert, Shelden, Smith, South, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.

Total 85

Noes: W. Baeth, Brand, Hand, Keyser, Ryan, Severson, Staigmiller, Turner, Waldron, Wyrick.

Total 10

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 816 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Burnett, Smith.

Total 2

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

House Bill No. 647 was passed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Waldron.

Total 1

Excused: J. Gunderson.

Total 1

Absent or not voting: Kennerly, Robbins, Roth, Sivertsen.

Total 4

Meloy moved that the House adjourn until 1:30 p.m., March 2, 1977.

Motion carried.

House adjourned at 5:00 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FORTY-NINTH LEGISLATIVE DAY

Helena, Montana  
March 2, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Harrington, Moore, excused; Kennerly, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

February 25, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Driscoll:

The following pages will be employed in the House of Representatives from March 2nd through March 5th, 1977:

Barry Deschamps	Missoula
Jeff Cysewski	Billings
Tim Sheehan	Billings
Nickie Jordan	Billings
Wendy Floyd	Power
Elaine McKay	Polson

The following page will work from March 3rd through March 9th, 1977:

Joseph Barrett Helena

The following page will work from March 10th through March 16th, 1977:

Matt Pelletier Butte

### MESSAGES FROM THE GOVERNOR

March 1, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that I have this day approved House Bill 163.

Sincerely,

TED SCHWINDEN  
Acting Governor

**MOTIONS**

Meloy moved that the rules be temporarily suspended and that the individual who is carrying each chapter of HB 122 be permitted to open and close on each chapter. Motion carried.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 85 do pass. (81-14)

That HB 610 do pass. (72-16)

That HB 737 be amended as follows:

1. Amend page 10, section 1, line 7.

Following: "motor home"

Strike: "or boat" (82-5)

And as amended, do pass. (80-12)

That the committee rise and report and beg leave to sit again. (Scully, Chairman) Report adopted.

**MOTIONS**

Huennekens moved that the House reconsider its action of the previous Legislative Day in failing to pass HB 687. Motion failed.

**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following House Resolution was introduced, read first time and referred to committee:

HJR 89, introduced by Lory, Eudaily, Palmer, Waldron, Hurwitz, Dussault, Williams, Huennekens. Referred to Committee on Local Government.

The following Senate Bills were introduced, read first time and referred to committees:

SB 74, introduced by Story, McCallum, Etchart, E. Smith, Thiessen, Dunkle. Referred to Committee on Taxation.

SB 83, introduced by Rasmussen, Goodover, Bergren, Fasbender, (By Request of the Department of Military Affairs). Referred to Committee on Public Health, Welfare and Safety.

SB 122, introduced by Dunkle, Manley. Referred to Committee on State Administration.

SB 125, introduced by Regan, Blaylock, Nelson. Referred to Committee on Business and Industry.

SB 168, introduced by Thiessen, Lowe, Dover, Roskie, Flynn. Referred to Select Committee on Employee Compensation.

SB 175, introduced by Warden, Blaylock, Aber, Healy, Dunkle, Mehrens, Lee, Peterson, Towe, Watt, Regan, Devine, Manley, Lowe,

- Thomas, Fasbender, Lensink, Rasmussen, Roberts, Flynn, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.
- SB 187, introduced by Lee, (By Request of the Department of Labor). Referred to Committee on Judiciary.
- SB 193, introduced by Mathers, Turnage, Graham, Galt, Regan, Lowe. Referred to Committee on Taxation.
- SB 198, introduced by Murray, Hazelbaker, Lowe, Healy, Lee, Etchart, (By Request of the Department of Community Affairs). Referred to Committee on Local Government.
- SB 200, introduced by Warden, Blaylock, Healy, Rasmussen, Devine, Regan, Towe, Roberts, Fasbender, Watt, Dunkle, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Natural Resources.
- SB 203, introduced by Dunkle. Referred to Committee on Fish and Game.
- SB 221, introduced by Etchart, McCallum, Thiessen, Olson, E. Smith, Mathers, Murphy, Manley. Referred to Committee on Public Health, Welfare and Safety.
- SB 226, introduced by Story, Devine, Manley, Peterson, Boylan, Lowe, Lockrem, Dover, Galt, Healy. Referred to Committee on Public Health, Welfare and Safety.
- SB 240, introduced by McCallum. Referred to Committee on Local Government.
- SB 245, introduced by Murray. Referred to Committee on Business and Industry.
- SB 271, introduced by Blaylock. Referred to Committee on Education.
- SB 275, introduced by McCallum, (By Request). Referred to Committee on Appropriations.
- SB 286, introduced by Thiessen, Devine, McOmber, Lockrem, (By Request of the Department of Administration). Referred to Committee on State Administration.
- SB 309, introduced by Mathers, Turnage, Stephens. Referred to Committee on Taxation.
- SB 310, introduced by Roberts. Referred to Committee on Public Health, Welfare and Safety.
- SB 311, introduced by Turnage, Roberts. Referred to Committee on Judiciary.
- SB 329, introduced by Roskie, (By Request of the Board of Architects). Referred to Committee on Business and Industry.
- SB 336, introduced by Turnage, Hazelbaker. Referred to Committee on State Administration.
- SB 355, introduced by Dover, Towe. Referred to Committee on Public Health, Welfare and Safety.
- SB 359, introduced by Lowe, Manning, Mathers, Graham, McOmber, Galt, Turnage, Thiessen. Referred to Judiciary Subcommittee on Montana Water.
- SB 362, introduced by Devine, (By Request). Referred to Committee on Business and Industry.
- SB 365, introduced by Roberts. Referred to Committee on Public Health, Welfare and Safety.
- SB 379, introduced by Towe. Referred to Select Committee on Employee Compensation.
- SB 381, introduced by Etchart, Lockrem, Kolstad, Manley, Graham, McCallum, E. Smith, Mathers. Referred to Committee on Natural Resources.
- SB 384, introduced by McOmber, Nelson. Referred to Committee on Taxation.
- SB 386, introduced by Murray, Devine, Turnage, Stephens, Goodover,



- Boylan, Roskie, Olson, Mathers, E. Smith, McCallum, Aber, Dunkle, Lowe, Rasmussen, Kolstad, Dover, Flynn, Peterson, Lee, Healy, Mehrens, Thomas, Blaylock, Graham, Manley, Fasbender, Warden, Himsl, Bergren. Referred to Committee on Business and Industry.
- SB 393, introduced by Brown, R. Smith. Referred to Committee on Judiciary.
- SB 401, introduced by Lowe, Flynn. Referred to Committee on Natural Resources.
- SB 402, introduced by Murray, Turnage, Peterson, Blaylock, Lensink. Referred to Committee on Judiciary.
- SB 403, introduced by Turnage. Referred to Committee on State Administration.
- SB 413, introduced by Towe. Referred to Committee on Judiciary.
- SB 421, introduced by Thomas. Referred to Committee on Education.
- SB 426, introduced by Murray, Devine, Jergeson, Goodover, Fasbender, Thomas, Dover, Boylan, Lee, Peterson, Dunkle, Kolstad, Warden, Aber, Flynn, Roskie, McCallum, E. Smith, Blaylock, Graham, Bergren, Mathers, Manley, Hager, Turnage, Healy, Olson. Referred to Committee on Business and Industry.
- SB 440, introduced by Fasbender, Roberts, Hazelbaker, Mathers, Regan. Referred to Committee on State Administration.
- SB 443, introduced by Senate Committee on Public Health, Welfare, and Safety; Stephens, Chairman. Referred to Committee on Public Health, Welfare and Safety.
- SJR 4, introduced by Manley, McCallum, Himsl, Blaylock, Dunkle, E. Smith, Flynn, Galt, Devine, Towe, Roskie. Referred to Committee on Natural Resources.
- SJR 17, introduced by E. Smith, Etchart, Kolstad, Aber, Mathers, Stephens, McCallum, Olson, Dover, Flynn, Manley, Jergeson, Boylan. Referred to Committee on Natural Resources.
- SJR 35, introduced by Graham, Turnage, Goodover, Kolstad, McCallum, Manley, R. Smith, Mehrens, Peterson, McOmber, Manning, Boylan, E. Smith, Aber, Fasbender, Flynn, Galt, Murray, Hager, Brown, Bergren, Olson, Thiessen, Lensink, Jergeson, Dover, Lee, Healy, Lockrem, Hazelbaker, Mathers, Roskie, Watt, Stephens. Referred to Committee on State Administration.
- SJR 41, introduced by Etchart, Jergeson, Manning, E. Smith. Referred to Committee on Agriculture, Livestock and Irrigation.
- SJR 42, introduced by Dover, Story, Galt, Thiessen, Jergeson, Devine, Manley, Graham. Referred to Committee on Natural Resources.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 122 be passed for the day.

That the committee rise and report. (Scully, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker on adjournment, 3/2/77 - HB 258, HB 325, HB 452.



LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

3/2/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business March 2, 1977:

Barry A. Deschamps.....	Page
Jeff T. Cysewski .....	Page
Tim J. Sheehan.....	Page
Nicolene Jordan.....	Page
Wendy Floyd.....	Page
Elaine F. McKay.....	Page

At the beginning of business March 3, 1977, the following also be employed:

Joseph Barrett .....	Page
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At the close of business February 26, 1977, the following also be terminated:

Frances Galvin.....	Page
Robert Little.....	Page
Jennifer Hill .....	Page
Scott White.....	Page
Susan Jacobs.....	Page
Rose Marie Hubble .....	Page
Laura Gunnels.....	Page
Gary Gunderson.....	Page
Mark Morehouse.....	Page
Terry Eickmeyer.....	Page
Michael Garrity .....	Page
Souther Bird.....	Page

Report adopted.

MOTIONS

Meloy moved that HB 85 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., March 3, 1977.

Motion carried.

House adjourned at 5:20 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FIFTIETH LEGISLATIVE DAY

Helena, Montana  
March 3, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Colburn and Moore, excused; Kennerly, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Forty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/3/77

Considered correctly engrossed - HB 85, HB 610.

Correctly enrolled - HB 241, HB 317.

Examined by Sponsor and found to be correct - HB 241, HB 317.

Will be signed by the Speaker on adjournment, 3/3/77 - HB 241, HB 317.

Were signed by the Speaker on adjournment, 3/2/77 - HB 258, HB 325, HB 452.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman): 3/3/77

SB 45, be concurred in. Report adopted.

SB 321, be concurred in. Report adopted.

SB 322, be concurred in. Report adopted.

FISH AND GAME (Staigmilller, Chairman): 3/3/77

SB 117, be concurred in. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman): 3/2/77

HB 55, do pass. Report adopted.

HB 105, do pass. Report adopted.

HB 120, do not pass.

HB 377, do not pass.

HB 421, do not pass.

HB 491, do pass. Report adopted.

HB 547, do pass. Report adopted.

HB 648, do not pass.

HB 813, do not pass.

TAXATION (Huennekens, Chairman):

HB 215, introduced bill,  
be amended as follows:

2/22/77

1. Amend title, line 6.

Following: "1947"

Insert: "; and providing an effective date"

2. Amend page 8, section 1, line 15.

Following: "couple"

Strike: " , "

3. Amend page 8, section 1, lines 17, 18 and 19.

Following: line 16

Strike: "excluding one of the following: social security, railroad retirement, public employees retirement, or any other retirement or pension"

4. Amend page 8, section 1, line 25, and page 9, lines 1, 2, 3.

Following: "(as to)"

Strike: "social security and all retirements, including the one the applicant excludes although it will not be counted in the applicant's total income, the applicant's"

5. Amend page 10, line 19.

Following: line 18

Insert: "Section 2. Effective date. This act is effective on its passage and approval."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 434, introduced bill,  
be amended as follows:

2/23/77

1. Amend page 7, section 1, subsection Class Seven (b), lines 6, 7 and 8.

Following: line 6

Strike: "pipes, hoses, rollers, spray attachments, connectors, pumps, and other items integral to the functioning of a sprinkler irrigation system"

Insert: "pumps, lateral lines, power units or movers, towers, booms, pipes, nozzles, sprinkler heads, and other accessories used to distribute the water"

2. Amend page 7, section 1, subsection Class Seven (b), lines 11, 12, 13, 14.

Following: "property."

Strike: "Sprinkler irrigation systems purchased less than 3 years before the effective date of this act shall be included in this class until the fourth January 1 after their purchase."

And as amended, do pass. Report adopted.

HB 552, introduced bill, be amended as follows:

2/24/77

1. Amend title, line 6.

Following: "population"

Insert: "at the request of the registered voters"

2. Amend page 5, section 1, line 2.

Following: "first"

Strike: "10"

Insert: "5"

3. Amend page 5, section 1, line 3.

Following: "loses"

Insert: "10% of its"

Following: "population"

Strike: "from one national census to the next national census in any period including or after the 1960-1970 decennium"

Insert: "during any five-year period, including the period 1970 through 1975, shown in national censuses and estimated by the federal bureau of census, or after 1985 as shown by quinquennial national censuses"



4. Amend page 6, section 1, line 10.

Following: "the"

Strike: "department"

Insert: "governing body of the city, town, or county in which the facility is located"

5. Amend page 6, section 1, line 11.

Following: "notice"

Strike: "hold a hearing to determine if"

Insert: "submit the question in a regular or special election to the registered electors of the jurisdiction whether"

6. Amend page 6, section 1, lines 12-15.

Following: "property."

Strike: "The local taxing authority may appear at the hearing, and it also may waive its objection to retention of this classification if"

Insert: "No industrial facility may be classified as new industrial property unless this classification receives an affirmative vote by a majority of registered electors voting on the question. Prior to the election,"

7. Amend page 6, section 1, line 15.

Following: "industry"

Strike: "agrees"

Insert: "may agree"

8. Amend page 10, section 2, line 23 through line 2, page 11.

Following: "loses"

Insert: "10% of its"

Following: "population"

Strike: "from one national census to the next national census in any period including or after the 1960-1970 decennium, for the first 10 years of such operation of a new corporation or of expanded operation of an expanding corporation"

Insert: "during any five-year period, including the period 1970 through 1975, as shown in national censuses and estimated by the federal bureau of census, or after 1985 as shown by quinquennial national censuses,"

9. Amend page 11, section 2, line 2.

Following: "a credit of"

Strike: "1%"

Insert: "2%"

10. Amend page 11, section 2, line 5.

Following: "allowed"

Insert: "during the first 5 years of operation of a new corporation or of expanded operation of an expanding corporation"

And as amended, do pass. Report adopted.

HB 599, introduced bill,  
be amended as follows:

2/22/77

1. Amend title, line 5.

Following: "tax"

Insert: "and corporation license tax"

2. Amend page 1, section 1, line 9.

Following: "Purpose"

Strike: "."

Insert: "and definition. (1)"

3. Amend page 1, section 1, lines 10, 11, 12.

Following: "small"

Strike: "corporations, unincorporated businesses, and partnerships whose proprietors or partners report business income under the individual income tax"

Insert: "businesses that meet the definition established in this section"

4. Amend page 1, section 1.

Following: line 14

Insert: "(2) For the purposes of this act, 'small business' means a business that is independently owned and operated and that is not dominant in its field of operation. The department of revenue shall establish a detailed definition by rule, using in addition to the foregoing criteria, other criteria that do not exceed those established in Title 13, chapter 121 of the code of federal regulations, as amended. 'Small business' shall further mean a business domiciled in Montana or that employs more than 50% of its total employed personnel within the state and, if incorporated, is incorporated in Montana."

5. Amend page 1, section 2, line 18.

Following: "the"

Strike: "tax"

Insert: "taxes"

Following: "84-4902"

Strike: "and"

Insert: ", "

Following: "84-4902.1"

Insert: "and 84-1501"

And as amended, do pass. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bill concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

3/2/77

House Bill No. 290, introduced by Quilici, Lynch, et al

### MOTIONS

Meloy moved that Senate Amendments to House Bill 310 be placed at the top of the Second Reading board today. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 310 not be concurred in. (90-3)

That HB 122, Chapter 5, be amended as follows:

1. Amend page 191, section 1, line 6.

Following: "inventories"

Insert: "of public property" (87-0)

And be further amended:

1. Amend page 190, section 1, line 8.

Following: "services"

Insert: "for public purposes" (91-0)

And be further amended:

1. Amend page 191, section 1, line 2.

Following: "property"

Insert: ", obtaining warrants when necessary," (92-1)

And be further amended:

1. Amend page 191, section 1, line 16 through line 8 on page 192.

Following: line 15 on page 191

Strike: line 16 through line 8 on page 192

Renumber: subsequent subsections

2. Amend page 201, section 1.

Following: line 11

Insert: "47A-6-107. Concurrent powers. (1) If a local government is authorized to regulate an area which the state by statute or administrative regulation also regulates, the local government may regulate the area only by enacting ordinances which are consistent with state law or administrative regulation.

(2) If state statute or administrative regulation prescribes a single standard of conduct, an ordinance is consistent if it is identical to the state statute or administrative regulation.

(3) If state statute or administrative regulation prescribes a minimal standard of conduct, an ordinance is consistent if it establishes a standard which is the same as or higher or more stringent than the state standard.

(4) A local government may adopt ordinances and regulations which incorporate by reference state statutes and administrative regulations in areas in which a local government is authorized to act."

Renumber: subsequent subsections (87-0)

And be further amended, Chapter 6:

1. Amend page 197, section 1, line 18.

Following: "area"

Insert: "the following activities to the extent they affect the general health, safety, well-being, or welfare of its inhabitants" (82-0)

Meloy replaced Scully in the Chair.

And be further amended, Chapter 6:

1. Amend page 266, line 15.

Following: line 15

Insert: "(3) 'persons of lower income' means persons and families, with insufficient personal or family income who require assistance under this act, as determined by the housing agency, taking into consideration:

- (a) the amount of the total personal and family income available for housing needs;
- (b) the size of the family;
- (c) the eligibility of persons and families under federal housing assistance of any type based on lower income or a functional or physical disability;
- (d) the ability of persons and families to compete successfully in the normal housing market and to pay the amount at which private enterprise is providing decent, safe, and sanitary housing;
- (e) the availability and cost of housing in particular areas; and
- (f) needs of particular persons or families due to age or physical handicaps.” (76-1)

And be further amended, Chapter 6:

- 1. Amend page 266, section 1, line 10.  
Following: “any”  
Strike: “buildings”  
Insert: “housing facilities”
- 2. Amend page 266, section 1, line 13.  
Following: “preparation,”  
Insert: “and”
- 3. Amend page 266, section 1, lines 13 and 14.  
Following: “landscaping”  
Strike: “, and other nonhousing facilities”
- 4. Amend page 272, section 1, line 8 through line 11.  
Following: line 7  
Strike: lines 8 through 11 in their entirety  
Renumber: subsequent subsections (76-0)

And be further amended, Chapter 6:

- 1. Amend page 314, section 1, line 16.  
Following: line 16  
Insert: “(5) ‘Symptoms of deterioration’ means an area which in the opinion of the governing body will become a deteriorated area within five years if the local government does not take actions to alleviate the decline of the area.” (68-3)

And be further amended, Chapter 6:

- 1. Amend page 315, section 1, line 6.  
Following: “itself,”  
Insert: “or”
- 2. Amend page 315, section 1, line 7.  
Following: “government”  
Strike: “,”  
Insert: “.”
- 3. Amend page 315, section 1, lines 8 and 9.  
Following: line 7  
Strike: lines 8 and 9 in their entirety
- 4. Amend page 319, section 1, line 11.  
Following: “project area”



Insert: ", but building requirements may not be lower than minimum building standards established by the state" (69-1)

And be further amended, Chapter 6:

1. Amend page 318, section 1, line 15.

Following: line 15

Insert: "(3) Approval of a redevelopment plan shall become void, if within 90 days after the approval of the plan the governing body receives a protest from the owners of more than 50% of the property covered by the plan." (77-0)

And be further amended, Chapter 6:

1. Amend page 320, section 1, line 2.

Following: "by"

Strike: "public agencies"

Insert: "state and political subdivisions"

2. Amend page 320, section 1, lines 4 and 5.

Following: "project,"

Strike: "a public agency may,"

Insert: "the state or any political subdivision of the state may, when it possesses the authority to do so and" (75-0)

And be further amended, Chapter 6:

1. Amend pages 323 through 326, section 1, line 18.

Following: "Tax"

Strike: line 18, page 323 through line 23, page 326 in their entirety

Insert: "increment financing. (1) A redevelopment plan may contain a provision or be amended to contain a provision for the segregation and application of tax increment as provided for in this section.

(2) For the purposes of this section the following terms shall have the meanings given to them unless otherwise provided for or indicated by the context:

(a) 'original taxable value' means the taxable value of all taxable property within a redevelopment area as calculated from the assessment role last equalized prior to the effective date of a tax increment provision, subject to adjustment as provided in subsection 8 of this section;

(b) 'actual taxable value' means the taxable value, at any time, of all taxable property within a redevelopment area as calculated from the assessment role last equalized;

(c) 'incremental taxable value' means the amount, if any, by which the actual taxable value, at any time, exceeds the original taxable value of all taxable property within a redevelopment area;

(d) 'tax increment' means the collections realized from extending the tax levies, expressed in mills, of all taxing bodies in which the redevelopment area is located against the incremental taxable value;

(e) 'tax increment provision' means a provision for the segregation and application of tax increment as authorized by this section;

(f) 'taxes' mean all taxes levied by a taxing body on ad valorem basis;

(g) 'taxing body' means any local government, or other political

subdivision or governmental unit of the state, including the state, which levies taxes against property within a redevelopment area.

(3)(a) The records administrator of the local government implementing a tax increment provision shall file a certified copy of each redevelopment plan or amendment to a plan containing a tax increment provision with state and local government officers responsible for determining the value of taxable property within the redevelopment area.

(b) The records administrator shall also file the certified copy with the records administrator of each of the affected taxing bodies.

(c) Upon receipt of the tax increment provision and in each ensuing year the officers responsible for determining the taxable value of taxable property within the redevelopment area shall calculate and certify to the local government implementing the tax increment provision, and each other affected taxing body the original, actual, and incremental taxable value of such property.

(4)(a) Mill rates of taxing bodies for taxes levied after the effective date of the tax increment provision shall be calculated on the basis of a taxable value of property within their taxing jurisdiction which includes only the original taxable value of the property located within the redevelopment area.

(b) The mill rate so determined shall be levied against the sum of the actual taxable value of all taxable property located within as well as outside the redevelopment area.

(c) The tax increment, if any, received in each year from the levy of the combined mill rates of all the affected taxing bodies against the incremental taxable value within the redevelopment area shall be paid into a special fund held by the treasurer of the local government implementing the tax increment provision and shall be used as provided in this section, except that taxes for the payment of all bonds and interest of each taxing body shall be levied against all property within the taxing body's jurisdiction to tax without limitations by the provisions of this section.

(d) The balance of the taxes collected in each year shall be paid to each of the taxing bodies as otherwise provided by law.

(5)(a) The tax increment may be used by the local government to pay the following costs of or incurred in connection with a redevelopment project:

- (i) the acquisition of property within the redevelopment area;
- (ii) the provision and improvement of public services and facilities in the redevelopment area;
- (iii) the relocation of occupants of the redevelopment area;
- (iv) the acquisition of any items of equipment incidental to the provision and improvements of public services in the redevelopment area.

(b) The tax increment may be pledged to the payment of the principal, premiums (if any), and interest on revenue bonds which the local government may issue to finance all or a portion of a redevelopment project.

(i) Bonds issued pursuant to this section shall be designed to

mature not later than 25 years from their date of issue and shall be designed to mature in such years and amounts that the principal and interest due on the bonds in each year shall not exceed the estimated tax increment and other estimated revenues including the proceeds of the bonds available for payment of interest on the bonds, pledged to their payment to be received in such year.

(ii) The governing body in the resolution authorizing the bonds shall determine the estimated tax increment and other revenues (if any), for each year the bonds are to be outstanding.

(iii) In calculating the costs for which the bonds are to be issued, the local government may include an amount sufficient to pay interest on bonds prior to receipt of tax increment pledged and sufficient for the payment therefor, and to fund any reserve fund in respect to the bonds.

(c) The local government implementing a tax increment provision may enter into agreements with other affected taxing bodies to remit to the taxing bodies any portion of the annual tax increment not currently required for the payment of the principal, premiums, and interest on the bonds.

(6) At the time of adoption of a tax increment provision or at any time after adoption of a tax increment provision the governing body of the local government implementing the tax increment provision may provide that only a portion of the tax increment from the incremental taxable value shall be segregated as provided for in subsections (3) and (4) of this section.

(a) The portion so determined shall be certified by the records administrator to the officers and taxing bodies to which the provision for segregation and application of the tax increment is certified.

(b) Thereafter, in determining the mill rates of affected taxing bodies, the taxable values against which the mill rates are extended, and the tax increment to be paid to the local government, the original taxable value shall be accordingly increased and the incremental taxable value shall be accordingly decreased by an amount sufficient to decrease the tax increment to the portion so determined.

(7)(a) The tax increment provision shall terminate upon the tenth year following its adoption or upon the payment or provision for payment in full of all principal, premiums, and interest on bonds for which the tax increment was pledged.

(b) Unless otherwise provided by agreement with other taxing bodies, any tax increments remaining after termination of the provision for the segregation and application of tax increments shall be distributed to all affected taxing bodies in proportion to the mill rates of each for the last year for which the tax increment provision was effective.

(8) In the event of a comprehensive revaluation of all property within a county, the original taxable value shall, at the request of the local government implementing the tax increment provision and subject to the provision of bond ordinances and resolutions, be increased or decreased by the officer responsible for determining the taxable value of taxable property within the redevelopment area to minimize the effect of the revaluation on the incremental



taxable value for the year immediately preceding the year of the revaluation." (63-10)

Scully resumed the Chair.

And as amended, HB 122 be passed for the day.

That the committee rise and report. (Scully, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

#### PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

3/3/77

SB 22, be concurred in. Report adopted.

SB 113, be concurred in. Report adopted.

SB 157, be concurred in. Report adopted.

### MOTIONS

Day moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 310. Motion carried.

### UNFINISHED BUSINESS

Letter dated 3/3/77 from John B. Driscoll, Speaker of the House, to Mrs. Martha McGee, Chief Clerk of the House, appointing the following Representatives to serve on the Legislative Audit Committee:

Harold E. Gerke  
John P. Scully  
Howard L. Ellis  
Robert A. Ellerd

Letter dated 3/3/77 from John B. Driscoll, Speaker of the House, to Mrs. Martha McGee, Chief Clerk of the House, appointing the following people to serve on the Environmental Quality Council:

Representative Mike Meloy  
Representative Art Shelden  
Representative Dennis Nathe  
Representative Verner Bertelsen  
Mr. William Spilker, Helena  
Mr. Richard Klinger, Big Fork

Letter dated 3/3/77 from John B. Driscoll, Speaker of the House, to Mrs. Martha McGee, Chief Clerk of the House, appointing the following Representatives to serve on the Consumer Council:

Joe Quilici  
Earl Lory

Letter dated 3/3/77 from John B. Driscoll, Speaker of the House, to Martha McGee, Chief Clerk of the House, appointing the following Representatives to serve on the Legislative Council:

J. D. Lynch  
John B. Driscoll  
Robert L. Marks  
Oscar S. Kvaalen

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 310: Day, Chairman; Scully, and Ramirez.



Meloy moved that the House adjourn until 1:30 p.m., March 4, 1977.

Motion carried.

House adjourned at 5:00 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FIFTY-FIRST LEGISLATIVE DAY

Helena, Montana  
March 4, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Moore, excused; Kennerly, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fiftieth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/4/77  
Correctly enrolled - HB 185.  
Correctly printed - HB 55, HB 105, HB 491, HB 547.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 1:30 p.m., 3/4/77 - HB 258, HB 325, HB 452.

BUSINESS AND INDUSTRY (Vincent, Chairman): 3/4/77  
SB 4, be concurred in. Report adopted.  
SB 5, be concurred in. Report adopted.  
SB 6, be concurred in. Report adopted.  
SB 84, be concurred in. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman): 3/3/77  
HB 637, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 3/3/77  
HB 680, do not pass.  
HB 783, do not pass.

On motion by Bardanoue, and in accordance with the 24-hour rule, the adverse committee report on HB 120 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Brand, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Smith, Staigmiller, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 80

Noes: Burnett, Colburn, Curtiss, Ernst, Fabrega, Meyer, Mular, Porter, Stobie, Teague, Turner.  
Total 11

Excused: Moore.  
Total 1

Absent or not voting: Bradley, Estenson, Gerke, Kennerly, Lund, Scully, Sivertsen, South.

Total 8

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 377 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Smith, South, Staigmiller, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Barrett, Cooney, Dussault, Ellerd, Ellison, Jensen, O'Keefe, Ryan, Stobie, Teague, Tower.

Total 11

Excused: Moore.

Total 1

Absent or not voting: Kennerly, Kimble, Lund, Scully, Sivertsen.

Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 421 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Burnett, Colburn, Curtiss, Fabrega, Kenny, Keyser, Meyer, Teague, Tower, Vincent.

Total 10

Excused: Moore.

Total 1

Absent or not voting: Ellison, Estenson, Kennerly, Lund, Lynch, Stobie.

Total 6

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 648 was adopted by the following vote:



Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.

Total 85

Noes: R. Baeth, Barrett, Brand, Curtiss, Feda, Johnston, Mular, Smith, Tower, Tropila, Waldron, Wyrick.

Total 12

Excused: Moore.

Total 1

Absent or not voting: Kennerly, Lund.

Total 2

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 813 was adopted by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: W. Baeth, Bradley, Colburn, Cooney, Courtney, Dussault, Estenson, Huennekens, Kenny, McLane, Meloy, Mular, Porter, Ramirez, Roth, Severson, Stobie, Teague, Tropila, Waldron.

Total 20

Excused: Moore.

Total 1

Absent or not voting: Kennerly.

Total 1

## MESSAGES FROM THE OTHER HOUSE

Recommended on Committee of the Whole in the Senate  
that further action be indefinitely postponed,  
report adopted, and returned to the House:

2/3/77

House Bill No. 22, introduced by Kvaalen

## FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 821, introduced by Halvorson. Referred to Committee on Appropriations.

HB 822, introduced by Fabrega, Johnston. Referred to Committee on Appropriations.

HB 823, introduced by Fabrega, O'Connell, Kenny, Gilligan, Moore, Seifert, Cooney, Roth, Ryan, Tropila, Meyer, Pistoria, Staigmillier, O'Keefe, McLane, Ellerd, Davis, Courtney, Conroy, Manuel, Scully, Aageson, Vinger, Fagg, Uhde, Severson, Ernst, Lien, Ramirez, Keyser, Jensen, Ellis, Lory, Johnston, W. Baeth, R. Baeth, Palmer, Vincent, Harrington, Mular, Lynch, Hand, Quilici, Estenson, Feda, Ellison, Burnett, J. Gunderson, Wyrick, Kropp, Wood, Day, Nathe, Hurwitz, Curtiss, Kanduch, Tower, Underdal, Gould, Stobie, Barrett, Lund. Referred to Committee on Appropriations.

### THIRD READING OF BILLS

The following bill has been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 610 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Curtiss, Day, Nathe, Smith, Uhde, Vinger.

Total 6

Excused: Moore.

Total 1

Absent or not voting: Kennerly, Shelden.

Total 2

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 122 be amended as follows:

1. Amend page 129, section 1, line 18.

Following: "than"

Strike: "10%"

Insert: "15%"

2. Amend page 203, section 1, line 7.

Following: "than"

Strike: "10%"

Insert: "15%" (88-1)

And be further amended:

1. Amend page 27, line 6.

Following: "receiving"

Strike: "protests"

Insert: "waivers"

2. Amend page 27, line 7.

Following: "each"

Strike: "protest"

Insert: "waiver" (90-1)

And be further amended:

1. Amend page 44, section 1, line 16.

Following: "subdivision"

Strike: " , "

Insert: "or"

2. Amend page 44, section 1, lines 17 and 18.

Following: "government"

Strike: " , or lands exempted from annexation under  
47A-2-214" (50-38)

And be further amended:

1. Amend page 48, section 1, line 14.

Following: "annexed"

Insert: "as required by 47A-2-207"

2. Amend page 50, section 1, line 2.

Following: "Except"

Strike: "as provided in and"

Insert: "where services are provided in another manner,"

3. Amend page 50, section 1, line 6.

Following: "entitled to"

Insert: " , and the municipality shall be required to  
provide," (84-0)

And be further amended:

1. Amend page 53.

Following: line 9

Insert: "(5) Property used for industrial or manufacturing purposes  
shall not be annexed by the procedures prescribed in this section  
without the written consent of the owner of the  
property." (64-25)

And be further amended:

1. Amend pages 166, 167, and 168, line 2 on page 166 through line  
9 on page 168. (86-1)

Strike: line 2 on page 166 through line 9 on page 168 (86-1)

And be further amended:

1. Amend page 197, line 15.

Following: line 14  
Strike: line 15 in its entirety

And be further amended:

1. Amend page 360, section 1, subsection 2, line 8.  
Following: line 8  
Insert: "elected sheriff or the" (88-0)

And be further amended:

1. Amend page 444, section 1, line 11.  
Following: "order"  
Insert: "approved by the local board of health, or if none exists, by the county governing body"

2. Amend section 1, lines 16 through 21.  
Following: "action."  
Strike: lines 16 through 21 in their entirety  
Strike: amendment no. 204 insertion  
Insert: "The proprietor of the establishment may submit a plan for corrections to which the local health officer objected. If the plan is acceptable and correction of the violation has been initiated, no order for closure will be issued." (84-4)

And as amended, be passed for the day.

That the committee rise and report. (Scully, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Examined by Sponsor and found to be correct - HB 185.

Will be signed by the Speaker on adjournment, 3/4/77 - HB 185.

Were signed by the Speaker on adjournment, 3/3/77 - HB 241, HB 317.

Objection raised by Burnett on 3/4/77 on adverse committee report on HB 680. Referred to Second Reading.

### MESSAGES FROM THE OTHER HOUSE

Senate acceded to the request of the House and authorized the President to appoint a conference committee to meet with the House to confer on Senate Amendments to House Bill No. 310.

3/4/77

The President appointed the following members:

Senator Roberts  
Senator Lowe  
Senator Olson

### MOTIONS

Meloy moved that HB 637 be rereferred from the Committee on Appropriations to the Third Reading. Motion carried.

Meloy moved that the House adjourn until 9:00 a.m., March 5, 1977.

Motion carried.



House adjourned at 6:15 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. MCGEE, Chief Clerk



## FIFTY-SECOND LEGISLATIVE DAY

Helena, Montana  
March 5, 1977

House Chambers  
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Colburn, Ellerd, Moore, excused; Bertelsen, Kennerly, Kimble, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

### MESSAGES FROM THE OTHER HOUSE

Bill on Committee Report not concurred in by the Senate,  
and returned to the House: 3/4/77

House Bill No. 720, introduced by Meloy

Bills concurred in by the Senate and returned  
to the House: 3/4/77

House Bill No. 53, introduced by Marks

House Bill No. 131, introduced by Lund, Brand

House Bill No. 149, introduced by Quilici, Lynch, et al

House Bill No. 246, introduced by Barrett, Johnston, Day, et al

House Bill No. 364, introduced by Gould, Kimble, Bradley, et al

Resolution passed by the Senate and transmitted  
to the House for concurrence: 3/4/77

Senate Joint Resolution No. 40, introduced by Mehrens, Healy, Lee,  
Peterson

Resolutions concurred in by the Senate and returned  
to the House: 3/4/77

House Joint Resolution No. 5, introduced by Lory, Scully (by request)

House Joint Resolution No. 24, introduced by Hirsch, Bradley, Meloy,  
Kimble, Harper

### MOTIONS

Day moved that the conference committee on Senate Amendments to HB 310 be dissolved and a free conference committee be appointed to meet with a like committee from the Senate on HB 310. Motion carried.

### THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 637 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily,

Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Colburn, Ellerd, Moore.

Total 3

Absent or not voting: Bertelsen, Kennerly, Kimble, Lynch, Meyer, Robbins, South.

Total 7

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 122 be amended as follows:

1. Amend page 525, section 1, line 5.

Before: "total"

Strike: "the"

Insert: "one-half of the"

2. Amend page 525, section 1, line 6.

Strike: "exclusively"

3. Amend page 525, section 1, line 6.

Following: "business"

Insert: "and refund the remainder to the taxpayer" (88-2)

And be further amended:

1. Amend page 516, section 1, lines 18 through 20.

Following: "(d)"

Strike: lines 18 through 20 in their entirety

Insert: "The governing body may charge any public tax-exempt entity for the following essential services, provided the service directly benefits the tax-exempt entity:

(i) fire prevention and protection;

(ii) law enforcement protection;

(iii) water, sewage, and utility services; or

(iv) solid waste collection, treatment, and disposal services, including recycling and resource recovery services.

(e) The governing body may charge any private tax-exempt entity for the following essential services, provided the service directly benefits the tax-exempt entity:



- (i) water, sewage, and utility services; or
- (ii) solid waste collection, treatment, and disposal services, including recycling and resource recovery services."

Renumber: subsequent subsections (88-0)

And be further amended:

1. Amend page 511, section 1, line 4.

Following: "contract."

Insert: "The rate shall be consistent with the rates established by the Montana commission of labor and industry." (83-1)

And be further amended:

1. Amend page 593, section 8, line 10.

Following: "forage,"

Insert: "timber,"

2. Amend page 593, section 8, line 22.

Following: "food"

Insert: ", timber," (66-19)

And be further amended:

1. Amend standing committee amendments 353, 354, and 355.

Strike: amendments 353 through 355 in their entirety

2. Amend page 578, line 8.

Strike: "may"

Insert: "shall"

3. Amend page 578, line 9.

Strike: ":",

Insert: "the election of a municipal judge on a nonpartisan judicial ballot at its general election."

Strike: lines 10 through 14 in their entirety (a, b, 3)

4. Amend page 578, line 19.

Strike: "If elected, the"

Insert: "The"

5. Amend page 578, line 20 through line 22.

Strike: "If appointed, the term shall begin on the first Monday of the month following appointment." (86-2)

Bertelsen present at this time.

And be further amended:

1. Amend page 285, section 1, line 17.

Following: "zoning board,"

Strike: "official map appeals board," (78-8)

Kimble present at this time.

Moore present at this time.

And as amended, do pass. (53-46)

That the committee rise and report. (Scully, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/5/77

Correctly printed - HB 215, HB 434, HB 552, HB 599, HB 680.

Correctly engrossed - HB 737.

## STATE ADMINISTRATION (Brand, Chairman):

3/5/77

- SB 38, be concurred in. Report adopted.
- SB 104, be concurred in. Report adopted.
- SB 152, be concurred in. Report adopted.
- SB 161, be concurred in. Report adopted.
- SB 183, be concurred in. Report adopted.

## TAXATION (Huennekens, Chairman):

- HB 168, second reading copy,  
be amended as follows:

2/2/77

1. Amend page 1, section 1, subsection (3), line 24.

Following: "for"

Insert: "mobilization, drill period, and annual field training"

And as amended, do pass. Report adopted.

## HB 398, introduced bill, be amended as follows:

3/4/77

1. Amend title, line 5.

Following: "84-437.4 through"

Strike: "84-437.6"

Insert: "84-437.5"

2. Amend title, line 5.

Following: "84-437.10,"

Insert: "and to amend 84-437.16,"

3. Amend page 1, section 1, line 11.

Following: line 10

Strike: "84-437.6"

Insert: "84-437.5"

4. Amend page 1, section 1.

Following: line 12

Insert: "Section 2. Section 84-437.16 is amended to read as follows:

'84-437.16. Reclassification by owner. Whenever land which is or has been in agricultural use and is or has been valued, assessed and taxed for agricultural use is applied to a use other than agricultural, the owner shall notify the county assessor (and the county assessor shall cause the following statement to be recorded by the county recorder: "On the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, this land became subject to the roll back tax imposed by section 84-437.4).")"

(Material in parentheses denotes cancelled type.)

And as amended, do not pass.

## HB 555, introduced bill, be amended as follows:

3/3/77

1. Amend page 1, section 1, lines 15 and 16.

Following: "upon"

Strike: "the insertion of one or more"

Insert: "inserting from 1 to 40"

2. Amend page 2, section 2, line 9.

Following: "94-8-311"

Strike: "and"

Insert: " , "

3. Amend page 2, section 2, line 10.

Following: "94-8-431"

Insert: ", and 62-715 through 62-726"

4. Amend page 2, section 3, line 14.

Following: "of"

Strike: "\$200"

Insert: "\$300"

5. Amend page 3, section 4, lines 5 and 6.

Following: "prorated"

Strike: "at \$16.67 for each month or part thereof remaining in the year"

Insert: "on a monthly basis"

6. Amend page 4, section 5, line 1.

Following: "of"

Strike: "\$100"

Insert: "\$200"

7. Amend page 4, section 5, lines 2 and 3.

Following: "prorated"

Strike: "on a monthly basis"

Insert: "in the year of the original application in the manner specified in (section 4(2))\*"

8. Amend page 4, section 6, line 17.

Following: "issued"

Strike: "when the owner"

Insert: "to a person who"

9. Amend page 5, section 6, line 4.

Following: "at least"

Strike: "1 year"

Insert: "5 years"

10. Amend page 5.

Following: line 21

Insert: "Section 9. Registration of owners. (1) Any person, firm, or corporation desiring to own one or more nickel-operated pinball machines to be played by the public within the state of Montana shall, before purchasing or acquiring such machine, register with and obtain the approval of the department. No person may be registered by the department who does not meet the requirements specified in (section 6).\*

(2) The application for registration shall be accompanied by a fee of \$100.

(3) The registration must be renewed annually on January 1 and is conditioned upon continued compliance with the requirements of section 6. The annual reregistration fee is \$100.

(4) All fees collected under this section shall be paid into the general fund."

Renumber: all subsequent sections

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do not pass.

HB 689, introduced bill, be amended as follows:

1. Amend title, line 6.

Following: "gas-fired boiler"

Insert: "; providing an immediate effective date"

2. Amend page 1, section 1.

Following: line 17

Insert: "Section 2. Effective date. This bill is effective on passage and approval for all taxable years after December 31, 1976."

And as amended, do pass. Report adopted.

HB 699, third reading bill, be amended as follows:

1. Amend title, line 7.

Following: "study"

Strike: "prior to such date"

2. Amend page 1, section 1, line 15.

Following: "It"

Strike: "shall be"

Insert: "is"

3. Amend page 1, section 1, line 16.

Following: "levy"

Strike: "an"

Insert: "a uniform"

4. Amend page 1, section 1, lines 17, 18, 19.

Following: "mills"

Strike: ", as fixed by the department of revenue in accordance with the legislative appropriation,"

5. Amend page 1, section 1, line 21 through page 2, lines 1 and 2.

Following: "support."

Strike: "The state superintendent shall furnish the (legislature) department of revenue each (biennium) year by the third Monday in June an estimate of the dollar need for county equalization of the elementary foundation program, taking into consideration projected ANB and various revenue sources other than county equalization."

6. Amend page 2, section 1, line 2.

Following: "equalization."

Insert: "The uniform number of mills shall be set by the department of revenue to raise the amounts appropriated by the legislature."

7. Amend page 2, section 1, line 4.

Following: "imposed"

Strike: "in that county"

Insert: "statewide"

8. Amend page 2, section 1.

Following: line 15.

Insert: "uniform"

9. Amend page 4, section 2, line 6.

Following: "It"

Strike: "shall be"

Insert: "is"

10. Amend page 4, section 2, line 7.

Following: "levy"

Strike: "an"

Insert: "a uniform"

11. Amend page 4, section 2, lines 8, 9, 10.

Following: "mills"



Strike: ", as fixed by the department of revenue with the appropriation of the legislature,"

12. Amend page 4, section 2, lines 12-18.

Following: "support"

Strike: "The state superintendent shall furnish the (legislature) department of revenue each (biennium) year by the third Monday in June an estimate of the dollar need for county equalization of the high school foundation program, taking into consideration projected ANB and various revenue sources other than county equalization."

13. Amend page 4, section 2, line 18.

Following: "equalization."

Insert: "The uniform number of mills shall be set by the department of revenue to raise the amounts appropriated by the legislature."

14. Amend page 5, section 2, line 3.

Following: "the"

Insert: "uniform"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

Objection raised by Fabrega on 3/5/77 on adverse committee report on HB 398. Referred to Second Reading.

### MOTIONS

Meloy moved that the rules be suspended for the purpose of introducing a resolution to submit to the qualified electors an amendment to the Constitution regarding interest received from the coal tax fund at the request of the Governor. Motion carried.

Menahan moved that SB 425 be rereferred from the Committee on Local Government to the Committee on Public Health, Welfare and Safety. Motion carried.

Scully moved that SB 226 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Natural Resources. Motion carried.

Brand moved that SB 401 be rereferred from the Committee on Natural Resources to the Committee on State Administration. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

SJR 40, introduced by Mehrens, Healy, Lee, Peterson. Referred to Committee on Labor and Employment Relations.

### REPORTS OF STANDING COMMITTEES

EDUCATION (Dussault, Chairperson):

3/5/77

HB 365, introduced bill, be amended as follows:

1. Amend page 1, line 25.

Strike: "\$10,289"

Insert: "\$10,687"

2. Amend page 2, line 4.

Strike: "\$10,289"  
Insert: "\$10,687"

3. Amend page 2, line 5.  
Strike: "\$430"  
Insert: "\$446.68"

4. Amend page 2, line 9.  
Strike: "\$14,159"  
Insert: "\$14,707"

5. Amend page 2, line 10.  
Strike: "\$430"  
Insert: "\$446.68"

6. Amend page 2, line 16.  
Strike: "\$22,606"  
Insert: "\$23,480"

7. Amend page 2, line 17.  
Strike: "\$269.35"  
Insert: "\$279.76"

8. Amend page 3, line 1.  
Strike: "\$999.05"  
Insert: "\$1,037.70"

9. Amend page 3, line 2.  
Strike: "98 cents"  
Insert: "\$1.01"

10. Amend page 3, line 6.  
Strike: "\$940.75"  
Insert: "\$977.10"

11. Amend page 3, line 7.  
Strike: "89"  
Insert: "92"

12. Amend page 3, line 12.  
Strike: "\$763.40"  
Insert: "\$792.90"

13. Amend page 3, line 22.  
Strike: "\$58,611"  
Insert: "\$59,938"

14. Amend page 3, line 25.  
Strike: "\$2,442"  
Insert: "\$2,498"

15. Amend page 4, line 1.  
Strike: "\$13.32"  
Insert: "\$13.63"

16. Amend page 4, line 5.  
Strike: "\$2,229"  
Insert: "\$2,280"

17. Amend page 4, line 7.  
Strike: "\$13.32"  
Insert: "\$13.63"

18. Amend page 4, line 11.

Strike: "\$1,430"

Insert: "\$1,462"

19. Amend page 4, line 12.

Strike: "\$2.23"

Insert: "\$2.28"

20. Amend page 4, line 16.

Strike: "\$1,207"

Insert: "\$1,235"

21. Amend page 4, line 17.

Strike: "\$1.22"

Insert: "\$1.25"

22. Amend page 4, line 21.

Strike: "\$1,084"

Insert: "\$1,109"

23. Amend page 4, line 22.

Strike: "22"

Insert: "23"

24. Amend page 4, line 25.

Strike: "\$1,016.95"

Insert: "\$1,040"

25. Amend page 5, line 14.

Strike: "\$10,906"

Insert: "\$11,767"

26. Amend page 5, line 18.

Strike: "\$10,906"

Insert: "\$11,767"

27. Amend page 5, line 20.

Strike: "\$455.80"

Insert: "\$491.79"

28. Amend page 5, line 24.

Strike: "\$15,009"

Insert: "\$16,193"

29. Amend page 6, line 1.

Strike: "\$455.80"

Insert: "\$491.79"

30. Amend page 6, line 7.

Strike: "\$23,962"

Insert: "\$25,851"

31. Amend page 6, line 8.

Strike: "\$285.50"

Insert: "\$308.02"

32. Amend page 6, line 17.

Strike: "\$1,059"

Insert: "\$1,142.50"

33. Amend page 6, line 18.

Strike: "\$1.04"

Insert: "\$1.12"

34. Amend page 6, line 22.

Strike: "\$997.20"

Insert: "\$1,075.80"

35. Amend page 6, line 23.

Strike: "94 cents"

Insert: "\$1.02"

36. Amend page 7, line 3.

Strike: "\$809.20"

Insert: "\$873"

37. Amend page 7, line 14.

Strike: "\$62,128"

Insert: "\$64,972"

38. Amend page 7, line 17.

Strike: "\$2,589"

Insert: "\$2,707"

39. Amend page 7, line 18.

Strike: "\$14.12"

Insert: "\$14.77"

40. Amend page 7, line 22.

Strike: "\$2,363"

Insert: "\$2,471"

41. Amend page 7, line 24.

Strike: "\$14.12"

Insert: "\$14.77"

42. Amend page 8, line 2.

Strike: "\$1,516"

Insert: "\$1,585"

43. Amend page 8, line 4.

Strike: "\$2.36"

Insert: "\$2.47"

44. Amend page 8, line 7.

Strike: "\$1,279"

Insert: "\$1,338"

45. Amend page 8, line 9.

Strike: "\$1.29"

Insert: "\$1.35"

46. Amend page 8, line 12.

Strike: "\$1,149"

Insert: "\$1,202"

47. Amend page 8, line 13.

Strike: "23"

Insert: "25"

48. Amend page 8, line 17.

Strike: "\$1,077.95"

Insert: "\$1,127"

49. Amend page 11.

Following: line 24

Insert: "(23) In order to provide adequate increases in public school funding, equalization of school spending between districts and avoidance of further property tax increases, the legislature finds



it necessary to provide variable spending ceilings for public schools as follows:

(a) A school district which budgeted 45% or more above the maximum-general-fund-without-a-vote exclusive of special education in the previous fiscal year shall not increase its general fund budget exclusive of special education by more than 5% in the next fiscal year.

(b) A school district which budgeted at least 35% but less than 45% above the maximum-general-fund-without-a-vote exclusive of special education in the previous fiscal year shall not increase its general fund budget exclusive of special education by more than 7-½% in the next fiscal year.

(c) A school district which budgeted at least 25% but less than 35% above the maximum-general-fund-without-a-vote exclusive of special education in the previous fiscal year shall not increase its general fund budget exclusive of special education by more than 10% in the next fiscal year.

School districts with fewer than 25 ANB are not subject to the variable spending ceilings."

And as amended, do pass. Report adopted.

Was signed by the Speaker on adjournment, 3/4/77 - HB 185.

#### UNFINISHED BUSINESS

The following free conference committee of three was appointed to meet with a like committee from the Senate on House Bill 310: Day, Chairman; Scully, and Ramirez.

Meloy moved that the House adjourn until 1:30 p.m., March 7, 1977.

Motion carried.

House adjourned at 1:10 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FIFTY-THIRD LEGISLATIVE DAY

Helena, Montana  
March 7, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father Norm Bauer of Helena. Pledge of Allegiance to the Flag.

Roll call. All members present except Sivertsen, excused; Kimble, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

March 3, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Driscoll:

The following pages will be employed by the House of Representatives during the week of March 7th through March 12th, 1977:

Patty Jenkins	Billings
Karen McGrath	Billings
Phyllis Johannes	Ballantine
Marilyn Novak	Shepherd
Dwayne Strand	Kalispell
Sheri Spurgin	Great Falls
Christopher Mebane	Yellowstone
	National Park
David Susong	Yellowstone
	National Park

The following page will work Wednesday, March 9th through Tuesday, March 15th, 1977:

Kevin Brusett Bozeman

Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman): 3/7/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business March 7, 1977:

Patty Jenkins.....	Page
Phyllis Johannes.....	Page
Karen McGrath.....	Page
Christopher A. Mebane .....	Page

Marilyn Novak.....	Page
Sheri L. Spurgin .....	Page
Dwayne Strand .....	Page
David Susong .....	Page

At the beginning of business March 9, 1977, the following also be employed:

Kevin L. Brusett .....	Page
------------------------	------

At the beginning of business March 10, 1977, the following also be employed:

Matt Pelletier .....	Page
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At the close of business March 2, 1977, the following also be terminated:

Souther Bird .....	Page
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At the close of business March 5, 1977, the following also be terminated:

Barry A. Deschamps .....	Page
Jeff T. Cysewski .....	Page
Tim J. Sheehan .....	Page
Nicolene Jordan .....	Page
Wendy Floyd .....	Page
Elaine F. McKay .....	Page

At the close of business March 8, 1977, the following also be terminated:

Joseph Barrett .....	Page
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Report adopted.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 555 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Cox, Davis, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kropp, Lien, Lund, Manuel, Marks, Meloy, Metcalf, Moore, Nathe, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Seifert, Severson, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 66

Noes: Barrett, Brand, Conroy, Cooney, Courtney, Curtiss, Ellis, Gould, J. Gunderson, Hansen, Harrington, Keyser, Lory, Lynch, McLane, Menahan, Meyer, Mular, O'Connell, Palmer, Quilici, Ryan, Turner, Waldron.  
Total 24

Excused: Sivertsen.  
Total 1

Absent or not voting: R. Baeth, Burnett, Dassinger, Ellerd, Kennerly, Kimble, Kvaalen, Scully, Shelden.  
Total 9

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on HB 783 was adopted by the following vote:



Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cox, Curtiss, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Keefe, Porter, Quilici, Ramirez, Roth, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Aageson, Brand, Cooney, Courtney, Kessler, Lien, Moore, Mular, O'Connell, Pistoria, Robbins, Teague, Uhde, Vincent.

Total 14

Excused: Sivertsen.

Total 1

Absent or not voting: Dassinger, Day, Kennerly, Kimble, Kvaalen, Palmer, Scully.

Total 7

## LABOR AND EMPLOYMENT RELATIONS

(Kimble, Chairman):

3/7/77

SB 140, be concurred in. Report adopted.

SB 272, be concurred in. Report adopted.

SB 334, be concurred in. Report adopted.

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 310 Report No. 1, March 5, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met March 5, 1977, and considered Senate Committee of the Whole Amendments dated February 24, 1977, to House Bill No. 310, and recommended as follows:

That the House accede to the Senate Committee of the Whole Amendment No. 1,

And further that the Senate recede from the Senate Committee of the Whole Amendment No. 2, this amendment reads as follows:

2. Amend page 2, section 1, line 11.

Following: line 10

Strike: "March 1, 1979"

Insert: "January 1, 1978"

Having receded from this amendment, the committee recommended further, that House Bill No. 310, third reading copy, be amended as follows:

1. Amend page 2, line 10 and 11.

Following: "1977."

Strike: "However, the board may not extend this date beyond March 1, 1979."

Insert: "January 1, 1978; however, if a court stays or enjoins the continuance of proceedings on any pending application for reservation of water in the basin filed before January 1, 1977, and such

stay or injunction prevents the board from making a final determination on such application before January 1, 1978, the court shall extend this date by the length of delay incurred. The court may not extend this date beyond January 15, 1979."

And that House Bill No. 310, as so amended, be concurred in.

#### FOR THE SENATE

ROBERTS, Chairman  
LOWE  
OLSON

#### FOR THE HOUSE

DAY, Chairman  
SCULLY  
RAMIREZ

Report adopted.

#### MESSAGES FROM THE OTHER HOUSE

Bill on Committee Report not concurred in by  
the Senate, and returned to the House: 3/5/77

House Bill No. 59, introduced by Marks

Resolutions concurred in by the Senate,  
and returned to the House: 3/5/77

House Joint Resolution No. 9, introduced by Holmes

House Joint Resolution No. 43, introduced by Fabrega, Conroy, Meyer,  
et al

House Joint Resolution No. 52, introduced by Frates, Huennekens,  
O'Connell, Kessler

Bills concurred in as amended by the Senate,  
and returned to the House for concurrence  
in Senate Amendments: 3/5/77

House Bill No. 125, introduced by Waldron, Uhde, Courtney, et al

House Bill No. 319, introduced by R. Baeth, Menahan, Courtney,  
Teague

House Bill No. 483, introduced by W. Baeth (by request)

Bills concurred in by the Senate  
and returned to the House: 3/5/77

House Bill No. 14, introduced by Kvaalen

House Bill No. 17, introduced by Marks

House Bill No. 30, introduced by Bardanouve

House Bill No. 36, introduced by Marks

House Bill No. 40, introduced by Kvaalen

House Bill No. 240, introduced by Ellerd

House Bill No. 477, introduced by Huennekens (by request)

House Bill No. 481, introduced by Lien, Gerke

House Bill No. 580, introduced by Brand, Dassinger, Cox, et al

Senate dissolved the Conference Committee on Senate Amendments to  
House Bill No. 310, and the President appointed the following mem-  
bers to a Free Conference Committee: 3/5/77

Senator Roberts  
 Senator Lowe  
 Senator Olson

### MOTIONS

Meloy moved that HB 141 be passed to the 60th Legislative Day. Motion carried.

Meloy moved that the free conference committee report on House Bill 310 be placed below HB 680 on the Second Reading board today. Motion carried.

Meloy moved that debate of each member be limited to five minutes on Second Reading. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 122 failed to pass by the following vote:

Ayes: W. Baeth, Bardanouve, Bradley, Cooney, Courtney, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Kanduch, Kessler, Keyser, Kimble, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, Palmer, Quilici, Ramirez, Robbins, Scully, Shelden, South, Teague, Vincent, Waldron, Williams, Mr. Speaker.  
 Total 46

Noes: Aageson, R. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellison, Ernst, Fabrega, Fed, Gould, Halvorson, Hand, Hirsch, Jensen, Johnston, Kenny, Kropp, Kvaalen, Lund, McLane, Marks, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Wood, Wyrick.  
 Total 53

Paired: Dussault, Kimble, Ayes; Marks, Sivertsen, Noes.

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 737 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
 Total 81

Noes: Bertelsen, Brand, Burnett, Curtiss, Davis, Harper, Hurwitz, Kvaalen, Nathe, Smith, Stobie, Tower, Turner, Wood.

Total 14

Excused: Sivertsen.

Total 1

Absent or not voting: Frates, E. Gunderson, Kennerly, Kimble.

Total 4

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

South in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 55 do pass. (89-0)

That HB 105 do pass. (89-0)

That HB 215 be amended as follows:

1. Amend page 8, line 14.

Following: "(dollars ())"

Strike: "6,000"

Insert: "7,000"

2. Amend page 8.

Following: line 15

Strike: "6,800"

Insert: "8,000" (66-21)

And as amended, do pass. (87-6)

That HB 434 do pass. (63-30)

That HB 491 do pass. (73-10)

That HB 547 do pass. (84-0)

That HB 552 do pass. (70-11)

That HB 553 be placed below the conference committee report on HB 310.

That HB 599 do pass. (88-0)

That HB 680 be passed to the bottom of the board.

That the conference committee report on HB 310 be adopted. (86-1)

That HB 553 be placed below SB 9 on the Second Reading board.

That SB 4 be concurred in. (88-0)

That SB 5 be concurred in. (86-0)

That SB 6 be concurred in. (87-1)

That SB 9 be concurred in. (85-4)



That HB 553 be amended as follows:

1. Amend page 2, line 17.

Following: "least"

Strike: "1000"

Insert: "10,000"

2. Amend page 2, line 16.

Following: "consumers"

Insert: "a majority of which are" (86-8)

And as amended, do pass. (70-24)

That SB 13 be passed to the bottom of the board.

That the committee rise and report and beg leave to sit again. (South, Chairman)

Bertelsen moved that HB 434 be segregated from the Committee of the Whole report and as amended be adopted. Motion failed. Thereupon report adopted.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/7/77

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 3:00 p.m., 3/7/77 - HB 185, HB 241, HB 317.

JUDICIARY (Scully, Chairman):

3/7/77

SB 30, be concurred in. Report adopted.

SB 92, be concurred in. Report adopted.

SB 339, be concurred in. Report adopted.

SB 356, be concurred in. Report adopted.

SB 398, be concurred in. Report adopted.

SB 405, third reading copy, be amended as follows:

1. Amend title, line 5.

Following: "the"

Strike: "state fire marshal"

Insert: "arson"

2. Amend page 1, section 1, line 11.

Following: "to"

Strike: "state fire marshal"

Insert: "arson"

3. Amend page 1, section 1, subsection (1), line 15.

Following: "the"

Strike: "fire marshal"

Insert: "arson"

And as amended, be concurred in. Report adopted.

SB 414, be concurred in. Report adopted.

### MESSAGES FROM THE GOVERNOR

March 7, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that this date I have approved House Bill Nos. 258, 325 and 452.

Sincerely,

THOMAS L. JUDGE  
Governor

### MOTIONS

Meloy moved that the rules be temporarily suspended and that the free conference committee report on HB 310 be placed on Third Reading today. Motion carried.

Meloy moved that the House reconsider its action taken on Third Reading today in failing to pass HB 122. Kvaalen moved that the motion to reconsider be tabled. Kvaalen's motion failed. (38-60) Smith moved the previous question. Smith's motion carried. Thereupon Meloy's motion carried.

Meloy moved that HB 122 be rereferred from Third Reading to Second Reading. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

South in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 122 be amended as follows:

1. Amend page 809, line 2.

Following: line 1

Insert: "Section 193. Local government code review committee.

(1) There is a temporary committee to review the local government code contained in this act and Title 47A. The committee consists of six members of the house of representatives, who shall be appointed by the speaker of the house of representatives, with the advice of the majority and minority leaders of the house and no more than three of whom may be of the same political party, and six members of the senate, who shall be appointed by the committee on committees of the state senate, no more than three of whom may be of the same political party. The committee shall terminate on September 1, 1978.

(2) The committee shall study this act and Title 47A and shall file its recommendations for the 46th legislature. The recommendations, including any necessary legislation, shall be presented to the legislative council no later than August 31, 1978. The legislative council shall provide the 46th legislature with the committee recommendations, including any necessary legislation.

(3) Other than the procedure for the appointment of members of

the committee, provided in subsection (1), the committee shall operate under the provisions of Title 43 governing interim subcommittees.

(4) This section is effective May 1, 1977."

2. Amend page 810, section 194, line 14.

Following: "194."

Strike: "Delayed"

3. Amend page 810, section 194, line 17.

Following: "repealed"

Strike: "effective July 1, 1978"

4. Amend page 810, section 196, line 25.

Following: "July 1,"

Strike: "1977"

Insert: "1979"

5. Amend page 811, section 196, line 1.

Following: "47A"

Strike: "and the delayed repealer section, section 194 of this act"

6. Amend page 811, section 196, line 4.

Following: "effective"

Strike: "May 2, 1977, and from May 2, 1977, to June 30,"

7. Amend page 811, section 196, line 5.

Following: line 4

Strike: "1977"

Insert: "July 1, 1978, and from July 1, 1978, to June 30, 1979"

8. Amend page 811, section 196, line 9.

Following: "July 1,"

Strike: "1977"

Insert: "1979"

9. Amend page 811, section 196, lines 10 and 11.

Following: line 9

Strike: lines 10 and 11 in their entirety (63-31)

Estenson abstained. "I rise on a point of personal privilege to explain my vote to abstain on the motion to amend HB 122 by Representative Marks.

I protest the remarks of my colleagues indicating that no one can vote intelligently on the bill because no one knows what is in the bill. I call that a bad case of projection. I, for one in this assembly, have followed closely the proceedings of the Local Government Study Commission, have attended hearings, participated in a Concerned Citizens Group, questioned personnel and have been pleased with publicity, openness and candor with which these meetings have been conducted.

I want to be recorded as having cast two informed and intelligent votes for HB 122 and abstaining, in protest, to technically kill this bill."

And as amended, do pass. (54-44)

That the committee rise and report. (South, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

LOCAL GOVERNMENT (Robbins, Chairman):

SB 199, be concurred in. Report adopted.

3/7/77

**MESSAGES FROM THE OTHER HOUSE**

Senate adopted Free Conference Committee Report  
on House Bill No. 310.

3/7/77

Bills concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

3/7/77

House Bill No. 27, introduced by Kvaalen

House Bill No. 276, introduced by Tropila, Hand, et al

House Bill No. 289, introduced by Quilici, Menahan, et al

House Bill No. 581, introduced by Dassinger, Brand, et al

Bill on Committee of the Whole, recommended that  
further action be indefinitely postponed,  
report adopted, and returned to the House:

3/7/77

House Bill No. 337, introduced by Conroy, Dassinger, Colburn

**MOTIONS**

Meloy moved that the rules be temporarily suspended and that HB 122 be placed on Third Reading today. Motion failed, lacking  $\frac{2}{3}$  majority vote. (55-43)

**THIRD READING OF BILLS**

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

The Free Conference Committee Report on House Bill No. 310 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Hand.

Total 1

Excused: Sivertsen.

Total 1

Absent or not voting: Brand, Kimble, O'Keefe.

Total 3

Meloy moved that the House adjourn until 1:30 p.m., March 8, 1977.



Motion carried.

House adjourned at 4:50 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FIFTY-FOURTH LEGISLATIVE DAY

Helena, Montana  
March 8, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/8/77

Correctly printed - HB 168, HB 365, HB 398, HB 689, HB 699.

Considered correctly engrossed - HB 55, HB 105, HB 434, HB 491, HB 547, HB 552, HB 599.

Correctly enrolled - HB 53, HB 131, HB 149, HB 246, HB 310, HB 364, HB 481, HB 580, HJR 5, HJR 24.

Examined by Sponsor and found to be correct - HB 310.

Will be signed by the Speaker at 3:43 p.m., 3/8/77 - HB 310.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman): 3/8/77

SB 94, be concurred in. Report adopted.

SB 98, be concurred in. Report adopted.

SB 103, be concurred in. Report adopted.

SB 133, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman): 3/8/77

SB 46, be concurred in. Report adopted.

SB 190, be concurred in. Report adopted.

SB 220, be concurred in. Report adopted.

SB 288, be concurred in. Report adopted.

SB 383, be concurred in. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman): 3/7/77

HB 7, do not pass.

HB 8, do not pass.

HB 283, do pass. Report adopted.

HB 284, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 3/7/77

SB 79, be concurred in. Report adopted.

SB 159, be concurred in. Report adopted.

SB 181, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman): 3/8/77

SB 415, third reading copy, be amended as follows:

1. Amend page 1, section 1, line 16.

Following: "from"

Insert: "accumulated"

And as amended, be concurred in. Report adopted.

SJR 19, be not concurred in.

**MOTIONS**

Meloy moved that SB 9 be rereferred from Reference Printing to the Committee on Judiciary. Motion carried.

Vincent moved that SB 345 be rereferred from the Committee on Labor and Employment Relations to the Committee on Business and Industry. Motion carried.

**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following bill was introduced, read first time and referred to committee:

HB 824, introduced by Gould, Ellis, Lory. Referred to Committee on Taxation.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Fabrega in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Fagg present at this time.

That HB 680 do not pass. (69-25)

That SB 13 be concurred in. (94-0)

That SB 22 be amended as follows:

1. Amend page 1, section 2, line 25 through line 8 on page 2.

Following: line 24

Strike: line 25 through line 8 on page 2 in their entirety (82-8)

And as amended, be concurred in. (85-3)

That SB 23 be concurred in. (81-9)

That SB 26 be amended as follows:

1. Amend page 12, section 6, line 6.

Following: "(inch)"

Strike: "inch or"

2. Amend page 35, section 21, line 13.

Following: "51% of"

Strike: "(,)"

3. Amend page 35, section 21, lines 14 and 15.

Following: "(inches)"

Strike: "inches of water or"

Following: "per second"

Strike: ", "

4. Amend page 35, section 21, line 21.

Following: "per second"

Strike: "or inches of water"



5. Amend page 37, section 23, lines 9 and 10.

Following: "(inches)"

Strike: "inches or"

6. Amend page 37, section 23, line 12.

Following: "(measurement,)"

Strike: "one inch of water, statutory measurement, or" (71-13)

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. (87-2)

- That SB 29 be concurred in. (81-7)
- That SB 30 be concurred in. (89-0)
- That SB 38 be concurred in. (92-0)
- That SB 45 be concurred in. (88-1)
- That SB 47 be concurred in. (68-20)
- That SB 64 be concurred in. (77-13)
- That SB 70 be concurred in. (89-2)
- That SB 78 be concurred in. (84-6)
- That SB 84 be concurred in. (77-6)
- That SB 91 be concurred in. (86-0)
- That SB 92 be concurred in. (88-0)
- That SB 104 be concurred in. (95-0)
- That SB 113 be concurred in. (89-0)
- That SB 116 be concurred in. (80-7)
- That SB 117 be concurred in. (67-21)
- That SB 134 be not concurred in. (50-45)
- That SB 140 be concurred in. (81-2)
- That SB 141 be concurred in. (77-9)
- That SB 152 be concurred in. (70-9)
- That SB 157 be concurred in. (84-0)
- That SB 161 be concurred in. (83-7)
- That SB 169 be amended as follows:

1. Amend title, line 7.

Following: "law"

Strike: "birds" (77-12)

And as amended, be concurred in. (77-11)

- That SB 183 be concurred in. (81-4)
- That SB 199 be concurred in. (59-31)
- That the committee rise and report. (Fabrega, Chairman)

Huennekens moved that SB 199 be segregated from the Committee of

the Whole report. Motion failed. Moore moved that SB 134 be segregated from the Committee of the Whole report. Motion failed. Thereupon report adopted.

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

3/8/77

Correctly engrossed - HB 553.

Correctly enrolled - HB 14, HB 36, HB 240, HJR 9, HJR 43, HJR 52.

Examined by Sponsors and found be be correct - HB 53, HB 131, HB 149, HB 246, HB 364, HB 580, HJR 5, HJR 24.

Was signed by the Speaker at 3:43 p.m., 3/8/77 - HB 310.

Will be signed by the Speaker on adjournment, 3/8/77- HB 53, HB 131, HB 149, HB 246, HB 364, HB 580, HJR 5, HJR 24.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 4:10 p.m., 3/8/77 - HB 310.

#### FISH AND GAME (Staigmilller, Chairman):

3/8/77

SJR 3, third reading bill, be amended as follows:

1. Amend page 2, lines 11 and 12.

Following: line 10

Strike: "an interim legislative committee, including members representing"

Insert: "to a subcommittee of the fish and game committees composed of 8 members appointed so as to attain equal representation of"

Following: "ranchers"

Strike: " , "

Insert: " - "

Following: "farmers"

Strike: " , "

Insert: "and"

Following: "sportsmen"

Strike: " , and"

Insert: " . "

2. Amend page 2, line 13.

Following: line 12

Insert: "Two"

Following: "Department"

Strike: "to"

Insert: "shall be appointed by the director, subject to approval of the senate and house of representatives fish and game committee chairmen, as nonvoting members. The committee shall"

And as amended, be concurred in. Report adopted.

SJR 27, be concurred in. Report adopted.

SB 242, be not concurred in.

#### TAXATION (Huennekens, Chairman):

3/7/77

HB 198, introduced bill, be amended as follows:

1. Amend title, line 8.

Following: "1947"

Insert: " ; and providing an effective date ;"

2. Amend title, line 7.

Following: "84-301,"

Insert: "84-302,"

3. Amend page 11, section 2, subsection (c), line 20.

Following: line 19

Strike: "(c) The annual gross proceeds of metal mines."

4. Amend page 12, section 2.

Following: line 5

Insert: "Class Twelve. The annual gross proceeds of metal mines."

5. Amend page 12, section 2.

Following: line 5

Insert: "Section 3. Section 84-302, R.C.M. 1947, is amended to read as follows:

'84-302. Basis for imposition of taxes. As a basis for the imposition of taxes upon the different classes of property specified in the preceding section, a percentage of the true and full value of the property of each class shall be taken as follows:

Class 1. (One hundred per cent (100%)) of its true and full value.

Class 2. (Twenty per cent (20%)) of its true and full value.

Class 3. (Thirty three and one third per cent (33 1/3%)) of its true and full value.

Class 4. (Thirty per cent (30%)) of its true and full value.

Class 5. (Seven per cent (7%)) of its true and full value.

Class 6. As specified in section 84-308, R.C.M. 1947.

Class 7. (Seven per cent (7%)) of its true and full value.

Class 8. (Fifteen per cent (15%)) of its true and full value.

Class 9. (Six per cent (6%)) of the true and full value for the first full year following completion of the repair, maintenance or improving of existing improvements; (twelve per cent (12%)) of the true and full value for the second full year following completion of the repair, maintenance or improving of existing improvements; (eighteen per cent (18%)) of the true and full value for the third full year following completion of the repair, maintenance or improving of existing improvements; (twenty-four per cent (24%)) of the true and full value for the fourth full year following completion of the repair, maintenance or improving of existing improvements; and (thirty per cent (30%)) for the fifth full year following completion of the repair, maintenance or improving of existing improvements and for every year thereafter.

Class 10. (Forty-five per cent (45%)) of its true and full value.

Class 11. (Forty per cent (40%)) of its true and full value.

Class 12. 7.5% of its true and full value."

Renumber: subsequent sections

6. Amend page 16, section 5, lines 14 and 15.

Following: "Exemption —"

Strike: "first 20,000 tons of metal mine production. The annual gross proceeds of a mine"

Insert: "metal mines gross proceeds. Metal mines"

7. Amend page 16, section 5, line 16.

Following: line 15

Strike: "metallic ore does not include the first"

Insert: "less than"

8. Amend page 16, section 5, lines 17 and 18.

Following: line 16

Strike: "produced"

Following: "year"

Strike: ", and this first 20,000 tons of ore is"

Insert: "shall be"

9. Amend page 16, section 5, line 18.

Following: "from"

Strike: "all"

Following: "taxation"

Insert: "on one-half of the merchantable value"

10. Amend page 20, section 12, subsection (2), lines 1 and 2.

Following: "filed"

Strike: "timely and no extension has been granted"

Insert: "by March 31 or within the time extended"

11. Amend page 20, section 12, lines 2 and 3, subsection (2).

Following: "department,"

Strike: "there shall be assessed"

Insert: "the department's agent in the county shall assess"

12. Amend page 20, section 13, line 9.

Following: "year"

Strike: "1977"

Insert: "1976"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

Meloy moved that the House adjourn until 1:30 p.m., March 9, 1977.

Motion carried.

House adjourned at 5:25 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FIFTY-FIFTH LEGISLATIVE DAY

Helena, Montana  
March 9, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Tower, Frates, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

Objection raised by Dussault on March 9, 1977, on adverse committee report on SJR 19. Referred to Second Reading.

BILLS (Quilici, Chairman):

3/9/77

Correctly printed - HB 283, HB 284.

Correctly engrossed - HB 215.

Were signed by the Speaker on adjournment, 3/8/77 - HB 53, HB 131, HB 149, HB 246, HB 364, HB 580, HJR 5, HJR 24.

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 8 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Smith, Staigmillar, Turner, Uhde, Underdal, Williams, Wood, Wyrick, Mr. Speaker.

Total 76

Noes: Bradley, Brand, E. Gunderson, Harper, Hirsch, Holmes, Huennekens, Keyser, Ramirez, Stobie, Teague, Tropila, Vincent, Vinger, Waldron.

Total 15

Excused: Frates, Tower.

Total 2

Absent or not voting: Gerke, Hurwitz, Mular, Pistoria, Scully, Sivertsen, South.

Total 7

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 7 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen,

Harrington, Hirsch, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, Manuel, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Quilici, Roth, Ryan, Seifert, Severson, Shelden, Smith, Staigmillier, Stobie, Turner, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.  
Total 70

Noes: Brand, Cooney, Courtney, Dussault, Fabrega, Gerke, Gilligan, Harper, Holmes, Huennekens, Lory, McLane, Meloy, Metcalf, Porter, Ramirez, Robbins, Teague, Tropila, Uhde, Vinger, Waldron.  
Total 22

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz, Mular, Pistoria, Scully, Sivertsen, South.  
Total 6

### MESSAGES FROM THE GOVERNOR

March 8, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that I have approved this date House Bill Nos. 185, 241, 317.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Resolutions concurred in by the Senate and returned  
to the House:

3/8/77

House Joint Resolution No. 11, introduced by Teague, Huennekens, Menahan, et al

House Joint Resolution No. 19, introduced by Curtiss, Mular, Johnston, et al

House Joint Resolution No. 53, introduced by Mular, Brand, Feda, et al

Bills not concurred in by the Senate and returned  
to the House:

3/8/77

House Bill No. 124, introduced by Sivertsen, Robbins, Bertelsen

House Bill No. 405, introduced by Lory, Ramirez, Marks

Bills concurred in by the Senate and returned  
to the House:

3/8/77

House Bill No. 15, introduced by Marks

House Bill No. 72, introduced by Ramirez

House Bill No. 206, introduced by Courtney, Cooney, Palmer, et al

Bills concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

3/8/77

House Bill No. 39, introduced by Kvaalen

House Bill No. 74, introduced by Ramirez

### MOTIONS

Williams moved that the rules be suspended to allow introduction of resolution regarding construction of port facilities on western coast for crude oil. Motion carried.

Fagg moved that HB 398, on Second Reading by an objection, be allowed to be rereferred back to the Committee on Taxation. As a substitute motion, Fagg moved that HB 398 be referred to the Committee on Rules.

As a substitute motion for all motions pending, Scully moved to appeal the rule of the Chair made earlier in the session regarding the transfer of bills receiving an adverse committee report back to committee. Motion failed.

As a substitute motion, Fagg moved consideration of HB 398 be passed for the day. Motion carried.

Kvaalen moved that the House recall Senate Bill 134 from the Senate. Motion carried. (49-47)

Meloy moved that consideration of HB 365 be passed until the 59th Legislative Day. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

HB 825, introduced by Driscoll, South, Meloy, Scully, (By Request of the Governor). Referred to Committee on Taxation.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 55 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Frates, Tower.

Total 2

Absent or not voting: Estenson, Halvorson, Lien, Ramirez.

Total 4

House Bill No. 105 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Frates, Tower.

Total 2

Absent or not voting: Estenson, Halvorson, Lien.

Total 3

House Bill No. 434 was passed by the following vote:

Ayes: Aageson, W. Baeth, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kimble, Kropp, Kvaalen, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, South, Stobie, Turner, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 65

Noes: R. Baeth, Bardanouve, Bertelsen, Courtney, Cox, Ellerd, Ellison, Estenson, Fedá, E. Gunderson, J. Gunderson, Harper, Kenny, Kessler, Lund, Metcalf, Nathe, O'Connell, Porter, Ryan, Smith, Staigmiller, Teague, Tropila, Uhde, Underdal, Vinger, Wyrick.

Total 28

Excused: Frates, Tower.

Total 2

Absent or not voting: Halvorson, Hurwitz, Lien, Scully.

Total 4

Abstained: Lory.

Total 1

House Bill No. 491 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Eudaily, Fabrega,



Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, South, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 82

Noes: Davis, Ellerd, Ellison, Estenson, Kenny, Kropp, Roth, Smith, Staigmiller, Underdal, Wyrick.

Total 11

Excused: Frates, Tower.

Total 2

Absent or not voting: Halvorson, Hurwitz, Jensen, Scully, Shelden.

Total 5

House Bill No. 547 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Frates, Tower.

Total 2

Absent or not voting: Halvorson, Hurwitz.

Total 2

House Bill No. 552 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Shelden, Sivertsen, South, Teague, Tropila, Turner, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 83

Noes: Bardanouve, Dussault, Ellison, Lory, Ryan, Severson, Smith, Staigmiller, Stobie, Uhde, Underdal, Wyrick.

Total 12

Excused: Frates, Tower.

Total 2

Absent or not voting: Halvorson, Hurwitz, Keyser.

Total 3

House Bill No. 553 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harrington, Hirsch, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Shelden, Sivertsen, South, Stobie, Teague, Tropila, Turner, Underdal, Vinger, Williams, Wyrick, Mr. Speaker.

Total 79

Noes: Bardanouve, Bertelsen, Brand, Dussault, Estenson, J. Gunderson, Harper, Holmes, Jensen, Ryan, Severson, Smith, Staigmiller, Uhde, Vincent, Waldron.

Total 16

Excused: Frates, Tower.

Total 2

Absent or not voting: Halvorson, Hurwitz, Wood.

Total 3

House Bill No. 599 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Frates, Tower.

Total 2

Absent or not voting: Ellison, Halvorson, Hurwitz, Kimble.

Total 4

Senate Bill No. 13 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch,

Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Jensen, Vinger.

Total 2

Excused: Frates, Tower.

Total 2

Absent or not voting: Barrett, Halvorson, Hurwitz, Stobie.

Total 4

Senate Bill No. 23 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Brand, Ellison, Fedá, Hand, Keyser, Metcalf, Moore, Roth, Smith, Staigmiller, Stobie, Teague.

Total 12

Excused: Frates, Tower.

Total 2

Absent or not voting: Halvorson, Hurwitz.

Total 2

Senate Bill No. 29 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Curtiss, Roth, Vinger.

Total 3

Excused: Frates, Tower.



Total 2

Absent or not voting: Halvorson, Hurwitz.

Total 2

Senate Bill No. 30 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz.

Total 1

Senate Bill No. 38 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz.

Total 1

Senate Bill No. 45 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, J.



Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Keefe, Pistoria, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Uhde, Underdal, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Estenson, E. Gunderson, McLane, Manuel, Moore, Nathe, O'Connell, Palmer, Porter, Quilici, Ramirez, Roth, Teague, Turner, Vincent, Vinger, Waldron.

Total 17

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz.

Total 1

Senate Bill No. 47 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmilller, Stobie, Uhde, Underdal, Vincent, Waldron, Mr. Speaker.

Total 71

Noes: Aageson, Bengtson, Bertelsen, Brand, Day, Feda, Gerke, E. Gunderson, J. Gunderson, Kropp, Lund, McLane, Moore, Pistoria, Roth, Sivertsen, Smith, Teague, Tropila, Turner, Vinger, Williams, Wood, Wyrick.

Total 24

Excused: Frates, Tower.

Total 2

Absent or not voting: Curtiss, Hurwitz, O'Connell.

Total 3

Senate Bill No. 64 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood.

Total 76

Noes: Barrett, Brand, Courtney, Curtiss, Estenson, Feda, J. Gunderson, Hansen, Harper, Kennerly, Kenny, Moore, Mular, Ryan, Smith, Stobie, Teague, Tropila, Underdal, Wyrick, Mr. Speaker.

Total 21

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz.

Total 1

Senate Bill No. 70 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Stobie.

Total 1

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz.

Total 1

Senate Bill No. 78 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Brand, Day, Estenson, Gerke, E. Gunderson, Harper, Holmes, Moore.

Total 8

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz, Lund.

Total 2

Senate Bill No. 84 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson,

Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Curtiss, Day, Ellis, Estenson, Hand, Keyser, Moore, Mular, Stobie.

Total 9

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz.

Total 1

Senate Bill No. 91 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Brand, Cooney, Day, Estenson, Hand, Huennekens, Roth, Ryan.

Total 8

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz.

Total 1

Senate Bill No. 92 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Brand, Cooney, Day, Hansen, Roth.

Total 5



Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz, Smith.

Total 2

Senate Bill No. 104 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Frates, Tower.

Total 2

Absent or not voting: Bardanouve, Hurwitz.

Total 2

Senate Bill No. 113 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Palmer.

Total 1

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz.

Total 1

Senate Bill No. 116 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson,



J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Day, Feda, Hansen, Mular, Roth, Ryan.

Total 6

Excused: Frates, Tower.

Total 2

Absent or not voting: Hurwitz.

Total 1

Senate Bill No. 117 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Colburn, Cox, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick.

Total 74

Noes: Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Estenson, Hand, Harper, Holmes, Huennekens, Meloy, Moore, Mular, Ryan, Smith, Teague, Vincent, Waldron, Mr. Speaker.

Total 24

Excused: Frates, Tower.

Total 2

Absent or not voting: None.

Total 0

Senate Bill No. 140 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Kennerly, Moore, Stobie.

Total 3

Excused: Frates, Tower.

Total 2

Absent or not voting: None.

Total 0

Senate Bill No. 141 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Conroy, Moore.

Total 2

Excused: Frates, Tower.

Total 2

Absent or not voting: Ellis.

Total 1

Senate Bill No. 152 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Cooney, Courtney, Cox, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Staigmilller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 85

Noes: Brand, Curtiss, Davis, Day, Feda, Manuel, Moore, Severson, Smith, Vinger, Wood.

Total 11

Excused: Frates, Tower.

Total 2

Absent or not voting: Conroy, Stobie.

Total 2

Senate Bill No. 157 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E.

Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Frates, Tower.

Total 2

Absent or not voting: Bertelsen, Kimble.

Total 2

Senate Bill No. 161 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Estenson, Harper, Metcalf, Moore, Uhde.

Total 5

Excused: Frates, Tower.

Total 2

Absent or not voting: None.

Total 0

Senate Bill No. 183 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Bardanouve, J. Gunderson, Kvaalen, Roth, Sivertsen, Smith, Underdal.



Total 7

Excused: Frates, Tower.

Total 2

Absent or not voting: None.

Total 0

Senate Bill No. 199 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Marks, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vinger, Wood, Wyrick.

Total 76

Noes: Bengtson, Bradley, Day, Dussault, Estenson, Gerke, Harper, Hirsch, Holmes, Huennekens, Kessler, Kvaalen, Manuel, Meloy, Metcalf, Palmer, Robbins, South, Vincent, Waldron, Williams, Mr. Speaker.

Total 22

Excused: Frates, Tower.

Total 2

Absent or not voting: None.

Total 0

### REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Shelden, Chairman):

3/9/77

SB 110, be not concurred in.

BILLS (Quilici, Chairman):

3/9/77

Correctly enrolled - HB 17, HB 40, HB 477.

Examined by Sponsors and found to be correct - HB 14, HB 17, HB 36, HB 40, HB 240, HB 477, HB 481, HJR 9.

Objection raised by Menahan on 3/9/77 on adverse committee report on SB 242. Referred to Second Reading.

### MOTIONS

Meloy moved that consideration of HB 689 be passed until the 57th day. Motion carried.

Marks moved that consideration of HB 699 be passed for the day. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:



That HB 168 do pass. (60-33)

That SB 46 be concurred in. (84-4)

That SB 79 be amended as follows:

1. Amend title, line 7.

Following: "1947"

Insert: "; and providing an immediate effective date"

2. Amend page 8.

Following: line 2

Insert: "Section 2. Effective date. This act is effective upon its passage and approval." (75-1)

And as amended, be concurred in. (85-0)

That SB 94 be concurred in. (78-7)

That SB 98 be concurred in. (81-1)

That SB 103 be concurred in. (80-3)

That SB 133 be concurred in. (81-1)

That SB 159 be concurred in. (81-1)

That SB 181 be amended as follows:

1. Amend title, line 6.

Following: "1947"

Insert: "; and providing an immediate effective date"

2. Amend page 7.

Following: line 20

Insert: "Section 2. Effective date. This act is effective upon its passage and approval." (79-3)

And as amended, be concurred in. (84-1)

That SB 190 be concurred in. (80-0)

That SB 220 be passed for the day.

That SB 272 be concurred in. (83-3)

That SB 281 be concurred in. (80-3)

That SB 288 be passed for the day.

Colburn excused at this time.

That SB 321 be concurred in. (62-25)

That SB 322 be concurred in. (82-2)

That SB 334 be concurred in. (80-2)

That SB 339 be concurred in. (83-2)

That SB 356 be passed for the day.

That SB 383 be concurred in. (82-0)

Day excused at this time.

That SB 398 be concurred in. (81-0)

That SB 405 be concurred in. (74-9)

That SB 414 be concurred in. (78-3)

That SB 415 be passed for the day.

That SJR 3 be concurred in. (70-11)

That SJR 27 be concurred in. (75-5)

Tower present at this time.

That SA to HB 27 be concurred in. (79-2)

That SA to HB 82 be concurred in. (82-2)

That SA to HB 125 be concurred in. (83-0)

That SA to HB 136 be concurred in. (83-0)

That SA to HB 276 be concurred in. (80-2)

That SA to HB 289 be concurred in. (83-1)

Day present at this time.

That SA to HB 290 be concurred in. (85-1)

That SA to HB 319 be concurred in. (82-4)

That SA to HB 483 be concurred in. (54-27)

That SA to HB 581 be not concurred in. (63-23)

That SA to HJR 8 be concurred in. (79-0)

That SA to HJR 26 be concurred in. (84-0)

That the committee rise and report. (Ramirez, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker on adjournment, 3/9/77 - HB 14, HB 17, HB 36, HB 40, HB 240, HB 477, HB 481, HJR 9, HJR 43.

Examined by Sponsor and found to be correct - HJR 43.

STATE ADMINISTRATION (Brand, Chairman):

3/9/77

SB 51, be not concurred in.

SB 171, be concurred in. Report adopted.

SB 174, be concurred in. Report adopted.

SB 184, be concurred in. Report adopted.

SB 191, be concurred in. Report adopted.

SB 204, reported without recommendation. Report adopted.

SB 260, be concurred in. Report adopted.

SB 274, be concurred in. Report adopted.

SB 361, third reading copy, be amended as follows:

1. Amend title, line 5.

Following: "permit"

Strike: "any"

Insert: "the chairman of the"

2. Amend title, line 6.

Following: "service"

Strike: "commissioner"

Insert: "commission or his designee"

And as amended, be concurred in. Report adopted.

SB 377, be concurred in. Report adopted.

SJR 34, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman):

3/9/77

SB 36, be not concurred in.

SB 73, third reading bill, be amended as follows:

1. Amend page 2, section 2, subsection (2)(b), line 10.

Following: "seller,"

Strike: "or"

2. Amend page 2, section 2, subsection (2)(c), line 13.

Following: "newspaper"

Strike: " "

Insert: "; or"

3. Amend page 2, section 2, subsection (2).

Following: line 13

Insert: "(d) an attempted sale of an insurance policy."

And as amended, be concurred in. Report adopted.

SB 218, be concurred in. Report adopted.

LOCAL GOVERNMENT (Robbins, Chairman):

3/9/77

SB 232, be not concurred in.

SB 349, third reading copy, be amended as follows:

1. Amend title, line 8.

Following: "election;"

Insert: "providing for qualification of a city judge; providing for filling a vacancy in the office of city judge;"

2. Amend page 1, section 2, line 23 through line 10 on page 2.

Following: "of a city judge."

Strike: line 23 on page 1 through line 10 on page 2 in their entirety

Insert: "The qualifications to hold the office of city judge shall be set by ordinance by the commission. The ordinance shall be consistent with any rules adopted by the Montana supreme court on city judge qualifications."

3. Amend page 2.

Following: line 14

Insert: "Section 4. Vacancy in the office of city judge. If a vacancy occurs in the office of city judge, the commission shall appoint a qualified individual to serve for the remainder of the term."

Renumber: subsequent section

And as amended, be concurred in. Report adopted.

HJR 89, do not pass.

## MESSAGES FROM THE OTHER HOUSE

Senate requested the return of HB 124  
for further consideration.

3/9/77

## MOTIONS

Marks moved that HB 699 be rereferred from Second Reading to the Committee on Taxation. Motion carried.

Marks moved that HB 168 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Fagg moved that the House reconsider its action in moving to recall SB 134 from the Senate. Motion carried. (52-44)

Meloy moved that the House accede to the request of the Senate and return HB 124 to the Senate for further consideration. Motion carried. (84-0)

Dassinger moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 581. Motion carried.

Meloy moved that the House adjourn until 1:00 p.m., March 10, 1977.

Motion carried.

House adjourned at 5:15 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FIFTY-SIXTH LEGISLATIVE DAY

Helena, Montana  
March 10, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by Father Dan Hillen of Carroll College. Pledge of Allegiance to the Flag.

Roll call. All members present except Colburn, Gould, and Menahan, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 581: Dassinger, Chairman; Brand and Fedra.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/10/77

Correctly printed - HB 198.

Considered correctly engrossed - HB 168.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:30 a.m., 3/10/77 - HB 53, HB 131, HB 149, HB 246, HB 364, HB 580.

Were signed by the Speaker on adjournment, 3/9/77 - HB 14, HB 17, HB 36, HB 40, HB 240, HB 477, HB 481, HJR 9, HJR 43.

NATURAL RESOURCES (Shelden, Chairman): 3/10/77

SB 2, be concurred in. Report adopted.

SB 128, be concurred in. Report adopted.

SJR 23, be concurred in. Report adopted.

Objection raised by Seifert on 3/9/77 on adverse committee report on SB 110. Referred to Second Reading.

### MESSAGES FROM THE GOVERNOR

March 9, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Speaker Driscoll:

This is to inform you that I have approved this date House Bill No. 310.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Bill concurred in as amended by the Senate

and returned to the House for concurrence  
in Senate Amendments:

3/9/77

House Bill No. 196, introduced by Fagg

Bill on Committee Report not concurred in  
by the Senate, report adopted,  
and returned to the House:

3/9/77

House Bill No. 315, introduced by Dassinger, Teague, et al

Bills concurred in by the Senate and returned  
to the House:

3/9/77

House Bill No. 13, introduced by Marks

House Bill No. 18, introduced by Marks

House Bill No. 94, introduced by Underdal (by request)

House Bill No. 173, introduced by Holmes (by request)

House Bill No. 459, introduced by Hurwitz, Lynch, Mular, et al

### MOTIONS

Fagg moved that consideration of HB 398 be passed to the 61st Legislative Day. Motion carried.

Kanduch moved that SB 322 be rereferred from Third Reading to Second Reading for consideration on the 59th Legislative Day. Motion carried.

Lynch moved that SB 310 be rereferred from the Committee on Public Health, Welfare and Safety to the Committee on Natural Resources. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

HJR 90, introduced by Williams, Gerke, Day, Marks, Kenny, Kropp, Bengtson, Mular, Johnston, Conroy, Staigmiller, Robbins, Estenson, Ellerd, Pistoria, Wyrick, Wood, Holmes, Smith, Barrett, Meloy, Meyer, Feda, Lynch, Seifert, Quilici, Gould, Fabrega, Sivertsen, Turner, Ramirez, Roth, Stobie, Harrington, Menahan, Hurwitz, Ernst, Kanduch, Cox, Severson, Huennekens, Porter, McLane. Referred to Committee on Natural Resources.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Holmes excused at this time.

House Bill No. 215 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp,

Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 81

Noes: Fagg, Feda, Moore, Mular, Porter, Ramirez, Stobie, Vinger, Wood, Wyrick.

Total 10

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Davis, Kennerly, Marks, Tower.

Total 5

Senate Bill No. 4 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Bengtson, Brand, Kennerly.

Total 3

Senate Bill No. 5 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly.

Total 2

Senate Bill No. 6 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Feda, Kennerly, Marks.

Total 4

Senate Bill No. 22 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 88

Noes: Kropp, Moore, Porter, Ryan, Seifert, Wyrick.

Total 6

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly.

Total 2

Senate Bill No. 46 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane,



Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Palmer, Robbins, Ryan.

Total 3

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly.

Total 2

Senate Bill No. 94 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Hansen, Nathe.

Total 2

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Staigmillier.

Total 3

Senate Bill No. 98 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Severson.

Total 3

Senate Bill No. 103 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly.

Total 2

Senate Bill No. 133 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Meyer, Staigmiller, Tower.

Total 5

Senate Bill No. 159 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins,

Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Bardanouve, Ellis, Frates, Hansen, Kenny, Roth, Smith, Stobie.

Total 8

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Tower.

Total 3

Senate Bill No. 169 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 85

Noes: Day, Hand, Kropp, Moore, Smith, Stobie, Wyrick.

Total 7

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Roth, Tower.

Total 4

Senate Bill No. 190 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Tower.

Total 3

Senate Bill No. 272 was concurred in by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Burnett, Fabrega, Keyser, Manuel, Meyer, Moore, Roth, Stobie.

Total 8

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Tower.

Total 3

Senate Bill No. 281 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Frates, J. Gunderson, Keyser, Moore, Mular, Smith, Stobie.

Total 7

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Bertelsen, Brand, Kennerly, Tower.

Total 4

Senate Bill No. 321 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ernst, Estenson, Fagg, Fedra, Frates, Gerke, Gilligan, J. Gunderson, Hansen, Harper, Harrington, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, Manuel, Marks, Meloy, Metcalf, Mular, O'Keefe, Pistoria, Quilici, Robbins, Roth, Severson, Shelden, Sivertsen, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 54

Noes: Aageson, Bengtson, Burnett, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Eudaily, Fabrega, E. Gunderson, Halvorson, Hand, Hirsch, Huennekens, Hurwitz, Kenny, Kvaalen, Lund, McLane, Meyer, Moore, Nathe, O'Connell, Porter, Ramirez, Ryan, Scully, Seifert, Smith, South, Staigmilller, Teague, Turner, Underdal, Wood.



Total 37

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Palmer, Stobie, Tower.

Total 5

Senate Bill No. 334 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Hansen, Johnston, Kenny, Stobie, Vinger.

Total 5

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, E. Gunderson, Kennerly, Tower.

Total 4

Senate Bill No. 339 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Burnett, Feda, Moore, Smith, Tropila, Turner, Vinger.

Total 7

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Marks, Porter, Teague, Tower.

Total 6

Senate Bill No. 383 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler,

Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Tower.

Total 3

Senate Bill No. 398 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Tower.

Total 3

Senate Bill No. 414 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, South, Staigmiller, Stobie, Tropila, Turner, Underdal, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Courtney, Ellison, E. Gunderson, J. Gunderson, Moore, O'Connell, Palmer, Sivertsen, Smith, Uhde, Vincent, Vinger, Waldron.

Total 13

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Brand, Kennerly, Seifert, Teague, Tower.

Total 5

Senate Joint Resolution No. 27 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88

Noes: Davis, Hand, McLane, Moore, Roth, Smith, Wood.

Total 7

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Tower.

Total 1

Senate Amendments to House Bill No. 27 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Marks.

Total 1

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Davis, Shelden, Teague, Tower, Waldron.

Total 5

Senate Amendments to House Bill No. 82 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly,



Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 94

Noes: None.  
Total 0

Excused: Colburn, Gould, Holmes, Menahan.  
Total 4

Absent or not voting: Teague, Tower.  
Total 2

Senate Amendments to House Bill No. 125 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 93

Noes: Nathe, Vinger.  
Total 2

Excused: Colburn, Gould, Holmes, Menahan.  
Total 4

Absent or not voting: Tower.  
Total 1

Senate Amendments to House Bill No. 136 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 93

Noes: None.  
Total 0



Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Kessler, Sivertsen, Tower.

Total 3

Senate Amendments to House Bill No. 276 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Ellison, Harper, Underdal.

Total 3

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Bertelsen, Shelden, Tower.

Total 3

Senate Amendments to House Bill No. 289 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Tower.

Total 1

Senate Amendments to House Bill No. 290 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss,

Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Ellison, Stobie.

Total 2

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Bengtson, Sivertsen, Tower.

Total 3

Senate Amendments to House Bill No. 319 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Stobie, Vinger.

Total 2

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Burnett, Tower.

Total 2

Senate Amendments to House Bill No. 483 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 90

Noes: McLane, Metcalf, Underdal, Wyrick.

Total 4

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Ramirez, Tower.

Total 2

Senate Amendments to House Joint Resolution No. 8 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Frates.

Total 1

Absent or not voting: Tower.

Total 1

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Senate Amendments to House Joint Resolution No. 26 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Colburn, Gould, Holmes, Menahan.

Total 4

Absent or not voting: Tower.

Total 1

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Conroy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 220 be concurred in. (86-0)

That SB 288 be concurred in. (87-0)

Holmes present at this time.

That SB 356 be passed for the day. (76-6)

That SB 415 be concurred in. (77-4)

That HB 283 do pass. (85-2)

That HB 284 do pass. (85-3)

That SB 73 be concurred in. (81-2)

That SB 171 be concurred in. (84-2)

That SB 174 be concurred in. (87-1)

That SB 184 be concurred in. (71-17)

That SB 191 be concurred in. (82-4)

That SB 204 be not concurred in. (52-39)

That SB 218 be concurred in. (69-11)

That SB 242 be concurred in. (46-43)

That SB 260 be passed to the 59th day.

That SB 274 be concurred in. (66-15)

That SB 349 be concurred in. (77-4)

That SB 361 be concurred in. (76-5)

That SB 377 be concurred in. (81-2)

That SJR 19 be concurred in. (78-7)

That SJR 34 be concurred in. (79-3)

That SA to HB 39 be passed for the day.

That SA to HB 74 be concurred in. (85-1)

That the committee rise and report. (Conroy, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/10/77

Correctly enrolled - HB 30.

Examined by Sponsors and found to be correct - HJR 52, HB 30.

Will be signed by the Speaker on adjournment, 3/10/77 - HB 30,  
HJR 52.



## AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman):

3/10/77

SB 89, third reading copy, be amended as follows:

1. Amend title, line 5.

Following: "transfer"

Insert: "of ownership"

2. Amend page 1, section 1, line 16.

Following: "transfer"

Insert: "of ownership"

3. Amend page 2, section 2, line 4.

Following: "transfer"

Insert: "of ownership"

And as amended, be concurred in. Report adopted.

SB 99, be concurred in. Report adopted.

## JUDICIARY (Scully, Chairman):

3/10/77

SB 40, third reading copy, be amended as follows:

1. Amend page 7, section 7, subsection (3), line 25 through line 3 on page 8.

Following: "pupil"

Strike: line 25 on page 7 through line 3 on page 8 in their entirety

Insert: "."

And as amended, be concurred in. Report adopted.

SB 41, be concurred in. Report adopted.

SB 42, be concurred in. Report adopted.

SB 43, be concurred in. Report adopted.

SB 58, be concurred in. Report adopted.

SB 119, be concurred in. Report adopted.

SB 176, be concurred in. Report adopted.

SB 215, be concurred in. Report adopted.

## HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman):

3/10/77

SB 16, be concurred in. Report adopted.

SB 147, be concurred in. Report adopted.

SB 312, be concurred in. Report adopted.

SJR 36, be concurred in. Report adopted.

## PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

3/10/77

SB 83, third reading copy, be amended as follows:

1. Amend page 13, section 6.

Following: line 20

Insert: "(2) In addition to any other powers conferred upon the governor by law, he may:

(a) suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or orders or rules of any state agency, if the strict compliance with the provisions of any statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster;

(b) direct and compel the evacuation of all or part of the population from an emergency or disaster area within the state if he considers this action necessary for the preservation of life or other disaster mitigation, response, or recovery;

(c) control ingress and egress to and from an emergency or disaster area, the movement of persons within the area, and the occupancy of premises therein."

Renumber: subsequent subsections

And as amended, be concurred in. Report adopted.

SB 269, third reading copy, be amended as follows:

1. Amend title, line 17.

Following: "1947"

Insert: "; and repealing section 69-4908, R.C.M. 1947"

2. Amend page 9.

Following: line 20

Insert: "Section 7. Repealer. Section 69-4908, R.C.M. 1947, is repealed."

And as amended, be concurred in. Report adopted.

SJR 8, be not concurred in.

### MESSAGES FROM THE OTHER HOUSE

Senate requests the return of HB 315 for further consideration.

3/10/77

### MOTIONS

Lynch moved that SB 242 be rereferred from Third Reading to the Committee on Fish and Game. Motion carried.

Dussault moved that SJR 19 be rereferred from Third Reading to the Committee on Judiciary. Motion carried.

Kvaalen moved to refer to the Rules Committee as to whether Representative Fagg's motion of yesterday to reconsider a motion to recall a bill from the Senate was in order.

The Chair ruled that Fagg's motion of yesterday was out of order.

Kvaalen moved to rescind our action in adopting the motion of Representative Fagg. Motion withdrawn.

Kvaalen moved that the question be referred to the Committee on Rules. Motion carried.

Nathe moved that the House reconsider its action in concurring in the Senate Amendments to HB 136 on Third Reading. Motion failed.

Waldron moved that the House reconsider its action in concurring in the Senate Amendments to HB 125 on Third Reading. Motion carried.

Waldron moved that the Senate Amendments to HB 125 be rereferred from Third Reading to Second Reading. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., March 11, 1977.

Motion carried.

House adjourned at 4:00 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## FIFTY-SEVENTH LEGISLATIVE DAY

Helena, Montana  
March 11, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker Pro Tem Brand in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Driscoll, Kennerly, Menahan, Nathe, Vinger, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/11/77

Considered correctly engrossed - HB 283, HB 284.

Correctly engrossed - HB 122.

Correctly enrolled - HB 72, HB 94, HB 173, HB 206, HB 319, HB 459, HB 483, HJR 11, HJR 19, HJR 53.

Were signed by the Speaker on adjournment, 3/10/77 - HB 30, HJR 52.

NATURAL RESOURCES (Shelden, Chairman): 3/11/77

SB 314, be concurred in. Report adopted.

SJR 17, be concurred in. Report adopted.

SJR 22, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman): 3/11/77

SB 115, be concurred in. Report adopted.

SB 229, be concurred in. Report adopted.

SB 250, be concurred in. Report adopted.

SB 262, be concurred in. Report adopted.

SB 335, be concurred in. Report adopted.

SB 397, be concurred in. Report adopted.

SB 437, be concurred in. Report adopted.

Objection raised by Pistoria on 3/11/77 on adverse committee report on SJR 8. Referred to Second Reading.

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on SB 36 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Colburn, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Feda, Frates, Gerke, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Metcalf, Pistoria, Porter, Quilici, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Uhde, Underdal, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 65

Noes: Barrett, Bradley, Fabrega, Gilligan, Huennkens, Manuel, Meyer, Moore, Mular, O'Keefe, Ryan, Stobie, Teague, Tower, Tropila, Turner, Vincent.

Total 17

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Bardanouve, Burnett, Conroy, Courtney, Ellerd, Estenson, Fagg, Gould, Kropp, O'Connell, Palmer, Ramirez, Scully.

Total 13

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on SB 51 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Roth, Ryan, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Stobie, Tower, Tropila, Turner, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 73

Noes: Barrett, Cooney, Dussault, Ellison, Johnston, Keyser, Moore, Robbins, Teague, Uhde, Underdal.

Total 11

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Bardanouve, Burnett, Courtney, Fagg, Gould, Huennekens, Lynch, Palmer, Ramirez, Scully, Staigmiller.

Total 11

On motion by Robbins, and in accordance with the 24-hour rule, the adverse committee report on SB 232 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Burnett, Conroy, Cooney, Cox, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Kanduch, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, McLane, Meloy, Metcalf, O'Connell, O'Keefe, Porter, Quilici, Robbins, Roth, Ryan, Seifert, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Waldron, Williams.

Total 61

Noes: Aageson, Barrett, Bertelsen, Colburn, Curtiss, Davis, Ellerd, Ellison, Ernst, Fabrega, Gould, Hansen, Johnston, Keyser, Kropp, Manuel, Meyer, Moore, Mular, Pistoria, Severson, Teague, Tropila, Wood, Wyrick.

Total 25

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Courtney, Fagg, Huennekens, Lynch, Marks, Palmer, Ramirez, Scully, Mr. Speaker Pro Tem.

Total 9

On motion by Robbins, and in accordance with the 24-hour rule, the adverse committee report on HJR 89 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen,



Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 81

Noes: Barrett, Dussault, Ellis, Lory, Moore, Palmer, Williams.

Total 7

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Courtney, Ellison, Gerke, Huennekens, Kenny, Scully, Smith.

Total 7

### MESSAGES FROM THE OTHER HOUSE

Bills passed by the Senate and transmitted  
to the House for concurrence:

3/10/77

Senate Bill No. 72, introduced by Warden, Regan, Roberts, et al

Senate Bill No. 142, introduced by Aber, Kolstad, E. Smith, et al

Senate Bill No. 188, introduced by Thomas

Bill concurred in by the Senate and returned  
to the House:

3/10/77

House Bill No. 234, introduced by Johnston, J. Gunderson, Teague, et al

Bill concurred in as amended and returned  
to the House for concurrence  
in Senate Amendment:

3/10/77

House Bill No. 626, introduced by Sivertsen, Aageson, Fagg, et al

Resolutions concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

3/10/77

House Joint Resolution No. 40, introduced by Dassinger, Lien, South, et al

House Joint Resolution No. 48, introduced by Nathe, Lund, Feda, Vinger, et al

3/10/77

Senate acceded to the request of the House and the following Conference Committee was appointed to confer on Senate Amendments to House Bill No. 581:

Senator Brown

Senator Lee

Senator Lockrem

**MOTIONS**

Meloy moved that HB 689 be placed at the bottom of the Second Reading board. Motion carried.

Meloy moved that HB 365 be rereferred from Second Reading to the Committee on Education. Motion carried.

Marks moved that SB 91 be recalled from the Senate. Motion carried.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 171 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.  
Total 91

Noes: Colburn, Day.

Total 2

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Fagg, Frates.

Total 2

Senate Bill No. 174 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.  
Total 79

Noes: Bertelsen, Colburn, Curtiss, Davis, Fabrega, Feda, J. Gunderson, Hansen, Huennekens, Meyer, Moore, Porter, Ramirez, Roth, Smith.

Total 15

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Frates.

Total 1

Senate Bill No. 184 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Metcalf, Meyer, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Teague, Tower, Turner, Underdal, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 75

Noes: Barrett, Burnett, Dassinger, Ellison, Estenson, Fedra, Harper, Kenny, Keyser, Lund, Moore, Shelden, Staigmillier, Stobie, Tropila, Uhde, Vincent.

Total 17

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Frates, Marks, O'Keefe.

Total 3

Senate Bill No. 191 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 87

Noes: Estenson, Gerke, Tropila, Williams.

Total 4

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Frates, Hand, Keyser, Marks.

Total 4

Senate Bill No. 218 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Shelden, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker Pro Tem.



Total 80

Noes: Barrett, Colburn, Day, Ellis, Feda, Lory, Mular, Robbins, Smith, Stobie, Wyrick.

Total 11

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Frates, Meloy, Severson, Sivertsen.

Total 4

Senate Bill No. 220 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 91

Noes: Colburn, Hansen, Moore.

Total 3

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Frates.

Total 1

Senate Bill No. 274 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Staigmiller, Stobie, Teague, Tower, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 77

Noes: Bardanouve, Bertelsen, Colburn, Davis, Ellerd, Estenson, J. Gunderson, Hirsch, Jensen, McLane, Porter, Ramirez, Roth, Sivertsen, Smith, Tropila, Turner.

Total 17

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: South.

Total 1

Senate Bill No. 288 was concurred in by the following vote:



Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 89

Noes: Colburn, Hand, Holmes, O'Keefe, Ryan.

Total 5

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Keyser.

Total 1

Senate Bill No. 377 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 88

Noes: Estenson, E. Gunderson, J. Gunderson, Hirsch, Roth, Smith.

Total 6

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: South.

Total 1

Senate Joint Resolution No. 34 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick.

Total 87

Noes: Colburn, Feda, Gould, J. Gunderson, McLane, Porter, Stobie, Mr. Speaker Pro Tem.

Total 8

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: None.

Total 0

Senate Amendments to House Bill No. 74 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 89

Noes: Colburn, J. Gunderson, Hansen.

Total 3

Excused: Driscoll, Kennerly, Menahan, Nathe, Vinger.

Total 5

Absent or not voting: Gerke, Jensen, South.

Total 3

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Mular in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 198 do pass. (80-11)

That SB 356 be passed for the day.

That SB 2 be concurred in. (88-1)

That SB 16 be concurred in. (89-0)

That SB 40 be concurred in. (84-1)

That SB 41 be concurred in. (80-2)

That SB 42 be concurred in. (88-2)

That SB 43 be concurred in. (86-5)

That SB 58 be passed for the day.

That SB 83 be passed to the 59th day.

That SB 89 be concurred in. (86-1)

That SB 99 be concurred in. (86-1)

Driscoll and Kennerly present at this time.

That SB 110 be not concurred in. (66-32)

That the committee rise and report. (Mular, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Examined by Sponsors and found to be correct - HB 72, HB 94, HB 173, HB 206, HB 319, HB 459, HB 483, HJR 11, HJR 19, HJR 53.

Will be signed by the Speaker on adjournment, 3/11/77 - HB 72, HB 94, HB 173, HB 206, HB 319, HB 459, HB 483, HJR 11, HJR 19, HJR 53.

EDUCATION (Dussault, Chairman):

3/11/77

SB 108, be concurred in. Report adopted.

SJR 11, be concurred in. Report adopted.

SJR 32, be concurred in. Report adopted.

SJR 33, be concurred in. Report adopted.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 826, introduced by Meloy, Marks, Scully, Driscoll, Vincent, Moore, Bardanoue, Estenson, Bradley, Huennekens, South, Hirsch, E. Gunderson, Ryan, Hand, Lund, Fagg, Kvaalen, Wood, Teague, Dassinger, Holmes, Barrett, Tropila, Kenny, Fabrega, Keyser, Harper, Metcalf, Frates, Courtney, Uhde, Nathe, Fedra, O'Keefe, Vinger, Ellison, Ramirez, Stobie, Smith, Hurwitz, Dussault, Halvorson, Ellerd. Referred to Committee on Appropriations.

HB 827, introduced by Lory, Huennekens, Bradley, Meloy. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

SB 72, introduced by Warden, Regan, Roberts, Flynn, Peterson, Towe, Hager, Lowe, Rasmussen, Brown, Lee, Healy, Bergren, Blaylock, Jerguson, Watt, Himsl, Mathers, Norman, Olson, Aber, Graham, Goodover, Turnage, Manley, E. Smith, Murray, Dunkle, Mehrens, Hazelbaker, Thomas. Referred to Committee on Appropriations.

SB 142, introduced by Aber, Kolstad, E. Smith, Lensink, Turnage, Thiessen, Manning, Nelson, Olson, Lowe, Himsl, McOmber. Referred to Committee on Local Government.

SB 188, introduced by Thomas. Referred to Committee on Education.

### MOTIONS

Meloy moved that SB 99 be rereferred from Third Reading to Committee on Appropriations. Motion carried.

Meloy moved that the House adjourn until 9:00 a.m., Saturday, March 12, 1977.

Motion carried.

House adjourned at 3:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## FIFTY-EIGHTH LEGISLATIVE DAY

Helena, Montana  
March 12, 1977

House Chambers  
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Colburn, Davis, Kimble, Menahan, Scully, and Vinger, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

March 10, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Driscoll:

The following Pages will be employed in the House of Representatives from March 12th through March 19th, 1977:

Patrick Menahan	Anaconda
Ronnie Burrows	Roberts
Russ Fagg	Billings
Richard Hunt	Missoula
Gregory Jellison	Missoula
Jeffrey Leader	Billings
Theresa Quilici	Butte
Leah O'Brien	Butte
Jenny Pettit	Helena
Joan Haubrick	Helena

The following Page will work from March 16th through March 22nd, 1977:

Raymond Mulcahy	Butte
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The following Page will be working from March 17th through March 23rd, 1977:

Becky Meyer	Great Falls
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Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/12/77  
Considered correctly engrossed - HB 198.

Were signed by the Speaker on adjournment, 3/11/77 - HB 72, HB 94, HB 173, HB 206, HB 319, HB 459, HB 483, HJR 11, HJR 19, HJR 53.

## LABOR AND EMPLOYMENT RELATIONS

(Kimble, Chairman):

3/11/77

SB 357, third reading copy, be amended as follows:

1. Amend page 2, section 1, line 16.

Following: "insurance"

Strike: "until"

Insert: "before"

And as amended, be concurred in. Report adopted.

SB 358, third reading bill, be amended as follows:

1. Amend page 2, section 1, line 16.

Following: "92-202.1(2)."

Insert: "Household or domestic service is excluded."

2. Amend page 3, section 1, line 2.

Following: "(party.)"

Strike: "; or"

Insert: " "

3. Amend page 3, section 1, line 11.

Following: "school"

Strike: ", postsecondary training center,"

Following: "college"

Strike: " "

Insert: "; or"

4. Amend page 3, section 1.

Following: line 11

Insert: "(d) students enrolled and in attendance in programs of vocational technical education approved by the state board of public education at designated post-secondary vocational technical centers."

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 430, be concurred in. Report adopted.

SB 436, be not concurred in.

## TAXATION (Huennekens, Chairman):

3/11/77

HB 207, introduced bill, be amended as follows:

1. Amend page 7, section 9, line 5.

Following: "land."

Strike: "A"

Insert: "In addition to the lien imposed in 91A-3-1010 and 91-4415, a"

And as amended, do pass. Report adopted.

HB 627, introduced bill, be amended as follows:

1. Amend title, line 6.

Following: "drug"

Strike: "dependency"

Insert: "dependence"

2. Amend title, line 8.

Following: "programs;"

Insert: "establishing certain requirements for programs receiving state funding support;"

3. Amend page 3, section 3, line 24.

Following: "under this"

Strike: "act"

Insert: "chapter"

4. Amend page 4, section 3, line 5.

Following: "dependence"

Insert: "established by the department under 80-2702"

5. Amend page 4, section 3, line 21.

Following: "alcoholics,"

Strike: "and"

6. Amend page 25, section 16, line 20 through line 17 on page 26.

Following: line 19

Strike: subsections (1) through (3) in their entirety

Insert: "(1) Revenue generated by 4-1-401 and 4-1-404 for the treatment, rehabilitation, and prevention of alcoholism may be distributed in either of the following manners:

(a) as payment of fees for alcoholism services provided by state-approved alcoholism programs, certified alcoholism counselors, licensed physicians, and licensed hospitals; and

(b) as grants to persons operating state-approved alcoholism programs.

(2) No person operating a state-approved alcoholism program may be required to provide matching funds as a condition of receiving a grant under subsection (1) of this section.

(3) In addition to funding received under this section, a person operating a state-approved alcoholism program may accept gifts, bequests, or the donation of services or money for the treatment, rehabilitation, or prevention of alcoholism.

(4) No person receiving funding under this section to support operation of a state-approved alcoholism program may refuse alcoholism treatment, rehabilitation, or prevention services to a person solely because of that person's inability to pay for those services.

(5) A grant made under this section is subject to the following conditions:

(a) The grant application must contain an estimate of all program income including income from earned fees, gifts, bequests, donations, and grants from other than state sources during the period for which grant support is sought.

(b) Whenever, during the period of grant support, program income exceeds the amount estimated in the grant application, the amount of the excess shall be reported to the grantor.

(c) The excess shall be used by the grantee under the terms of the grant in accordance with one or a combination of the following options:

(i) use for any purpose that furthers the objectives of the legislation under which the grant was made; or

(ii) deduct from total project costs to determine the net costs on which the grantor's share of the costs is based."

Renumber: subsequent subsection

7. Amend page 26, section 16, line 21.

Following: "Montana"

Strike: "and"

Insert: "or"

8. Amend page 28, section 17, line 22.

Following: "deposited"

Strike: "within"

Insert: "with the state treasurer to the credit of"

9. Amend page 28, section 17, line 23.

Following: "drug"

Strike: "dependency"

Insert: "dependence"

10. Amend page 29, section 18, line 21.

Following: "(fund)"

Strike: "within"

Insert: "with the state treasurer to the credit of"

11. Amend page 29, section 18, line 22.

Following: "drug"

Strike: "dependency"

Insert: "dependence"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 699, second reading, second printing copy, be amended as follows:

1. Amend page 2, section 1, line 7.

Following: "foundation"

Strike: "programs"

Insert: "program"

2. Amend page 4, section 2, line 23.

Following: "legislature."

Insert: "The department of revenue shall notify each county superintendent by July 1 of each year as to the number of mills to be imposed statewide for the foundation program."

And as amended, do pass. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bill concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

3/11/77

House Bill No. 20, introduced by Marks

Bills concurred in by the Senate and returned  
to the House:

3/11/77

House Bill No. 12, introduced by Bardanouve

House Bill No. 21, introduced by Bardanouve

House Bill No. 23, introduced by Bardanouve

House Bill No. 32, introduced by Bardanouve



House Bill No. 33, introduced by Bardanouve

House Bill No. 35, introduced by Bardanouve

House Bill No. 37, introduced by Bardanouve

House Bill No. 203, introduced by Shelden (by request)

House Bill No. 254, introduced by Cooney, Uhde, Courtney, et al

House Bill No. 275, introduced by Mular, Ellis, Brand, et al

Resolutions concurred in by the Senate and returned  
to the House:

3/11/77

House Joint Resolution No. 15, introduced by Turner, Jensen, Seifert,  
et al

House Joint Resolution No. 38, introduced by Vincent, Tower, Conroy,  
et al

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 283 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 84

Noes: Wood, Wyrick.

Total 2

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Dussault, Fagg, Jensen, Kropp, Mular, Sivertsen, South, Tower.

Total 8

House Bill No. 284 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams.

Total 80

Noes: Burnett, Ellerd, Ernst, Halvorson, Seifert, Smith, Wood, Wyrick, Mr. Speaker.

Total 9

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Dussault, Hurwitz, Lory, Mular, Sivertsen.

Total 5

Senate Bill No. 2 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Dussault, Mular, Sivertsen.

Total 3

Senate Bill No. 16 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 89

Noes: Kennerly, Wood.

Total 2

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Dussault, Ellison, Mular.

Total 3

Senate Bill No. 26 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Roth.

Total 1

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Dussault, Mular.

Total 2

Senate Bill No. 41 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Aageson.

Total 1

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Dussault, Hirsch, Mular.

Total 3

Senate Bill No. 42 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 91

Noes: Curtiss.

Total 1

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Dussault, Mular.

Total 2

Senate Bill No. 43 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Brand, Teague, Tropila.

Total 3

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Dussault, Mular.

Total 2

Senate Bill No. 79 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Brand, Moore, Seifert, Smith.

Total 4

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Bertelsen, Dussault, Mular.

Total 3

Senate Bill No. 181 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss,



Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Bertelsen, Mular.

Total 2

Senate Bill No. 405 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Bradley, Dussault, Harper, Meloy, Metcalf, Roth, Staigmiller, Waldron.

Total 8

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.

Total 6

Absent or not voting: Bertelsen, Holmes, Mular.

Total 3

Senate Joint Resolution No. 3 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Burnett, Conroy, Courtney, Cox, Dassinger, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 71

Noes: Bradley, Brand, Cooney, Curtiss, Dussault, Ellerd, J. Gunderson, Halvorson, Hirsch, Huennekens, Kropp, McLane, Marks, Meloy, Moore, Palmer, Roth, South, Teague, Wyrick.

Total 20

Excused: Colburn, Davis, Kimble, Menahan, Scully, Vinger.  
Total 6

Absent or not voting: Bertelsen, Holmes, Mular.  
Total 3

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ageson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 689 be amended as follows:

1. Amend title, page 1, line 7.

Following: "providing"

Strike: "an immediate effective date"

Insert: "a period of effectiveness"

2. Amend page 1, section 1, line 12.

Following: "coal."

Insert: "(1)"

3. Amend page 1, section 1, line 19.

Following: line 18

Insert: "(2) The investment credit provided in subsection (1) may be claimed only for the taxable year in which the investment was made. The amount of the credit may not exceed the total tax liability imposed by 84-1501 for that taxable year."

4. Amend page 1, section 2, line 19.

Following: "Section 2."

Strike: "effective date"

Insert: "Period of effectiveness"

Following: "this"

Strike: "bill"

Insert: "act"

5. Amend page 1, section 2, line 21.

Following: "1976"

Insert: ", and before December 31, 1981" (86-0)

And as amended, do pass. (84-0)

That SB 58 be passed for the day.

That SB 356 be passed for the day.

That SB 108 be concurred in. (82-1)

That SB 115 be concurred in. (85-0)

That SB 119 be concurred in. (76-2)

That SB 128 be concurred in. (81-0)

That SB 147 be concurred in. (82-1)

That SB 176 be not concurred in. (55-25)

That SB 215 be concurred in. (65-13)

That SB 269 be concurred in. (53-21)

That SB 229 be concurred in. (69-2)

That SB 250 be concurred in. (66-0)

That SB 262 be concurred in. (76-0)

That SB 312 be concurred in. (73-0)

That SB 314 be concurred in. (72-2)

That SB 335 be concurred in. (81-1)

That SB 437 be concurred in. (80-1)

That SJR 8 be concurred in. (72-10)

That SJR 11 be concurred in. (74-0)

That SJR 17 be concurred in. (76-0)

That SJR 22 be placed below SJR 36.

That SJR 23 be concurred in. (80-0)

That SJR 32 be passed for the day.

That SJR 33 be passed for the day.

That SJR 36 be concurred in. (81-0)

That SJR 22 be passed for the day.

That SA to HB 196 be concurred in. (74-5)

That SA to HB 39 be concurred in. (80-0)

That SA to HB 125 be not concurred in. (73-3)

That SA to HB 626 be concurred in. (83-0)

That SA to HJR 40 be concurred in. (62-21)

That SA to HJR 48 be concurred in. (82-0)

That the committee rise and report. (Aageson, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

EDUCATION (Dussault, Chairman):

3/11/77

SB 17, third reading bill, be amended as follows:

1. Amend page 8, section 3, subsection (28), lines 15 and 16.

Following: "dealers"

Strike: ", maintain a textbook library,"

Insert: "and"

2. Amend page 8, section 3, subsection (28), line 17.

Following: "law"

Strike: ", and supply a textbook listing"

3. Amend page 9, section 3, subsection (36), lines 20 and 21.

Following: line 19

Strike: lines 20 and 21 in their entirety  
 Renumber: subsequent subsections

4. Amend page 21, section 10, subsection (1), line 9.  
 Following: "in"  
 Strike: "subsection"  
 Insert: "subsections"  
 Following: "(2)"  
 Insert: "and (3)"

And as amended, be concurred in. Report adopted.

SB 144, third reading bill, be amended as follows:

1. Amend title, line 8.  
 Following: "superintendent"  
 Insert: "or other districts"

2. Amend page 1, section 1, subsection (1), line 17.  
 Following: "superintendent"  
 Insert: "or other districts"

And as amended, be concurred in. Report adopted.

SJR 25, third reading bill, be amended as follows:

1. Amend page 5, lines 16 and 17.  
 Following: "were"  
 Strike: "Montana men and most of the starting team members were"
2. Amend page 5, lines 18 through 25.  
 Following: line 17  
 Strike: lines 18 through 25 in their entirety

And as amended, be concurred in. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bill on Committee Report not concurred in  
 by the Senate, report adopted,  
 and returned to the House:

3/10/77

House Bill No. 54, introduced by Marks

### MOTIONS

Meloy moved that the House accede to the request of the Senate and return HB 315 to the Senate. Motion carried.

Marks moved that SB 269 be rereferred from Third Reading to the Committee on Appropriations. Motion failed.

Gould moved that the rules be suspended to permit the introduction of a resolution dealing with the subject of the potential ban on saccharine. Motion carried.

Waldron moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 125. Motion carried.

Meloy moved that HB 689 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.



## UNFINISHED BUSINESS

March 12, 1977

Mrs. Martha McGee  
Chief Clerk  
House of Representatives

Dear Mrs. McGee:

I have this day appointed the following Representatives to serve on the Administrative Code Committee:

Representative Hal Harper, Democrat  
Representative Joe Tropila, Democrat  
Representative Jack Ramirez, Republican  
Representative Fred Barrett, Republican

Sincerely,  
John B. Driscoll  
Speaker of the House

Meloy moved that the House adjourn until 1:00 p.m., Monday, March 14, 1977.

Motion carried.

House adjourned at 12:00 noon.

JOHN B. DRISCOLL, Speaker

MARTHA B. MCGEE, Chief Clerk

## SPECIAL ORDERS OF THE DAY

## JOINT SENATE AND HOUSE MEMORIAL SERVICES

Helena, Montana  
March 12, 1977

Senator McOmber, President of the Senate, called the Joint Session of the House and Senate to order at 1:00 p.m., Saturday, March 12, 1977.

Posting of the colors by the 159th Support Group, U. S. Army Reserve.

Senator Murphy, Senate Democratic Leader, moved that the Joint Session be convened for the purpose of a Joint Memorial Service honoring past Representatives and Senators.

Motion carried.

Senator Murphy moved that the roll call of the Joint Session be dispensed with.

Motion carried.

President McOmber welcomed the Senators, Representatives and guests to the Joint Memorial Service.

The Prelude by Ernie Neath.

Invocation by Father Farrell, Chaplain of the House.

Vera Gerke sang "Hold Thou My Hand", accompanied by Ernie Neath.

Senator Warden presented the Senate memorials. Following the presentation of each memorial, Representative McLane lit a candle.

Memorials for the following are in the Senate Journal:

Henry Anderson  
Ralph Blair  
Clyde Brewer  
Archie Cochrane  
Herman H. Dokken  
Errol F. Galt  
Henry S. Hibbard

Carl Lindquist  
Richard I. Nixon  
Miles Romney  
Paul Smith  
Fred Toman  
Don Weston

Representative Seifert sang "How Great Thou Art", accompanied by Ernie Neath.

Representative Vincent presented the House memorials. Following the presentation of each memorial, Representative McLane lit a candle.

#### A JOINT LEGISLATIVE MEMORIAL ON THE DEATH OF THE LATE HARRY LOWELL BURNS

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Harry Lowell Burns on November 13, 1975.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Harry Lowell Burns be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Harry Lowell Burns died November 13, 1975. He was born March 30, 1896, north of Lohman, Montana, on a ranch where his parents had homesteaded. He attended Chinook Public School and High School and taught at country schools while studying law through a Blackstone correspondence course. His schooling was interrupted by service with the 91st Infantry Division in France during World War I. Upon his return from the service, he was instrumental in establishing the Montana National Guard and served with them until 1942 when he retired as a Major.

On July 16, 1917 he married Hulda E. Fisher at Havre, Montana. She and their children, Harriet, Richard, and Thomas, survive him.

Harry L. Burns was admitted to the practice of law in 1922 and was a member of the bar association for 50 years. He served as City Treasurer of Chinook and Harlem, Blaine County Attorney, a director of Security State Bank of Harlem, a member of the Board of Public Welfare, and as a member and chairman of the Montana State Highway Commission.

He served in the House of Representatives during the 19th and 20th sessions in 1925 and 1927. He was a strong Republican and very much respected by his political opponents. He acted as chairman of the Judiciary Committee and was a member of the Committee on Education and Military Affairs. During his second term he was instrumental in the prosecution and consequent impeachment of the secretary of state for malfeasance in office.

Representative Burns was an active Presbyterian and acted as moderator of the Great Falls Presbytery. He was also active in the Lions, Eagles, American Legion, Masons, and Shriners.

In a letter to the Editor of the Chinook Opinion written by Democratic State Representative Francis Bardanouve it was stated that "He was a person of very strong convictions and never hesitated to fight for his

beliefs, even to the point of becoming involved in deep controversy. It is regrettable that so few people nowadays are willing to stand and express their beliefs and fight for them. Mr. Burns was a person that dearly loved his country and state and never hesitated to defend them, no matter what the circumstances were." And, in the Memorial to the Court of the Twelfth Judicial District of the State of Montana, it was written that "It was men like him who made our freedom possible, and it will be men like him who will keep us free."

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Harry Lowell Burns and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Burns' family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
CHARLES A. CARLSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Charles A. Carlson on November 25, 1975, in Butte, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Charles A. Carlson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Charles A. Carlson died November 25, 1975 in Butte, Montana. He was born in Bernice, Montana, on November 28, 1896, and attended schools in Bernice, Boulder, and Basin, Montana, and college in Bozeman, Montana.

He married Edna Williamson in Butte in 1919 and they had two children, William and Bernice, all of whom survive him.

Until 1951 when the family moved to Butte, he was a rancher and charcoal manufacturer in Bernice. He served as a county commissioner of Jefferson County from 1929 to 1935.

He was active in the Boulder-Basin Lodge No. 41 of the A.F. & A.M., Holly Chapter 33 of the Order of Eastern Star in Boulder, and the Baghdad Temple of the Shrine.



Representative Carlson was a Republican legislator who served during the 27th session in 1941.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Charles A. Carlson and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Carlson's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
CLARENCE CHAMBERLAIN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Clarence Chamberlain on August 25, 1975, in Wolf Point, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Clarence Chamberlain be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Clarence Chamberlain died August 25, 1975, in Wolf Point, Montana. He was born June 28, 1891 in Buffalo Lake, Minnesota. He was raised and went to school in Hastings, Minnesota, and later attended the School of Agriculture at the University of Minnesota.

In November of 1913 he moved to Montana and settled on a ranch south of Wolf Point in the Sand Creek community. He served in the Army during World War I and then returned to ranching.

Representative Chamberlain was a Republican who served during the 24th and 25th sessions of the legislature in 1936 and 1938.

He was active in the formation and development of the Farmers' Union and was a past national director of the Farmers' Union Livestock Association in St. Paul, Minnesota.

Three brothers, Ray, Fay, and Floyd, and one sister, Mrs. Paul Cunningham, survive him.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:



THAT we hereby express our esteem and respect to the memory of the Honorable Clarence Chamberlain and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Chamberlain's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
LUKE F. CURRY

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Luke F. Curry on December 28, 1975, in Great Falls, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Luke F. Curry be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Luke F. Curry died December 28, 1975, in Great Falls, Montana. He was born January 23, 1891, at Fort Benton, Montana, where his parents resided after coming up the Missouri River to Montana by riverboat. He attended Great Falls High School and graduated in 1910.

He married Ora Hubbert in 1920 and they had one daughter, Elmira. Mrs. Curry died in 1967, and their daughter and two brothers, Frank and Albert, survive him.

Mr. Curry started work in 1912 as a messenger boy for the First National Bank in Great Falls. In 1926 he was named assistant cashier for the bank and was promoted to cashier in 1936. He was named a director in 1942, and became a vice-president in 1947. In January of 1954 he was named president and served in that position until January of 1957. He was a charter director of the First Westside National Bank and served as its president from May of 1955 through January of 1956.

Representative Curry served as a Democratic legislator in the 36th session in 1959 and was a member of the appropriations, banking, railway, and aviation committees.

In 1939 he was elected president of the Great Falls Clearing House and was Group 5 president of the Montana Bankers Association in 1943. He served as a member of the city zoning board in 1948 and as a director of the East Base Housing Corporation in 1949. He also served as a

Meadow Lark Country Club director and as treasurer to the Heisey Foundation. In 1954 he was honorary treasurer of the local Muscular Dystrophy Association fund drive and in 1962 he acted as chairman of the special gifts division of the Arthritis and Rheumatism Foundation's North Montana Chapter. He was also a member of St. Ann's Catholic Church and the Elks.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Luke F. Curry and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Curry's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
RALPH F. EGGBRECHT

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Ralph F. Eggebrecht on August 29, 1976.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Ralph F. Eggebrecht be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Ralph F. Eggebrecht died August 29, 1976. He was born in Vida, Montana, on September 2, 1920, and grew up on the family farm there. He attended Vida school and graduated in 1938 from Wolf Point High School.

After serving three years in the military during World War II, he returned to Wolf Point and purchased Ralph's Bar which he operated until 1972. He also farmed in McCone County. In 1972 he built the Sherman Motor Inn, acted as manager and president for three years, and later owned the controlling interest.

On October 10, 1940, he married Lorraine Hanson and they had eleven children: 6 boys, Ralph J., Joel, Tom, Mark, Brian, and Frank; and 5 girls, Kay, Judy, Mary, Beth, and Julie. Mrs. Eggebrecht and all the children survive him.

Representative Eggebrecht served as a Democratic state legislator during the 41st and 42nd sessions in 1969 and 1971.

He served on the Wolf Point city council from 1963 to 1969 and was mayor of Wolf Point from 1969 to 1971. He served on the Chamber of Commerce board of directors for many years and was both Chamber vice-president and president. He was director of the Fort Peck Tribal Industries and was vice-president of Riverview Homes. He was also the district deputy of the Knights of Columbus and a fourth degree member, and was active in the VFW, Elks, and the American Legion.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Ralph F. Eggebrecht and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Eggebrecht's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
JAMES FRANCIS FLEMING, JR.

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of James Francis Fleming, Jr., on October 12, 1976, in Polson, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative James Francis Fleming, Jr. be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

James Francis Fleming, Jr. died on October 12, 1976, in Polson. He was born February 10, 1915, in Sutton, Nebraska, and attended schools there. In the fall of 1941, he moved to Pablo and began farming with his father.

On February 25, 1941, he married Wilma M. (Billie) Vontz in Lincoln, Nebraska. They had eleven children: five sons, James III, John, Patrick, Neil, and Gregory; and six daughters, Mary, Joan, Peggy, Ann, Kathleen, and Elizabeth. Mrs. Fleming and all the children survive him.

James Fleming founded and was the first president of the Lake County Potato Growers Association and was a member of the board of directors of both the Montana Potato Improvement Association and the National Potato Council and also served on the National Potato Promotions Board.



He also worked as a professional musician, playing in a dance band in the Midwest and in Montana, and drove a school bus for Pablo for 27 years.

Representative Fleming was a four-term Democratic legislator who represented Lake County, and was a candidate for reelection when he died. He served in the House of Representatives during the 41st, 42nd, 43rd, and 44th sessions, 1969 through 1975, and was chairman of the Agriculture Committee.

He was choir director at Sacred Heart Parish Catholic church and was a member of the First Parish Council there and a member of the Knights of Columbus in Polson. He was also active in the Elks and the American Federation of Musicians.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable James Francis Fleming, Jr., and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Fleming's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

#### A JOINT LEGISLATIVE MEMORIAL ON THE DEATH OF THE LATE JOSEPH ITEN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Joseph Iten on May 4, 1975, in Hamilton, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Joseph Iten be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Joseph Iten died May 4, 1975, in Hamilton. He was born December 13, 1880 at Underageri, Switzerland, and came to the United States when he was 19 years old. He settled in Bozeman and worked on a farm with an uncle before moving to Hamilton in 1900.

He worked for the Bitter Root Stock Farm in 1902 and then decided to go into the cement contracting business which was a trade he had learned in Switzerland.



He married Katherine Iten on February 7, 1907, in New York City shortly after she had immigrated to the United States from Switzerland. They had five children, Josephine, Helen, Ottilie, Doris, and Walter. Mrs. Iten died on April 21, 1962, and the five children survive him.

Representative Iten served as a Republican state legislator in two sessions, the 32nd and 33rd, in 1951 and 1953.

He was active in many building, sidewalk, and bridge projects in the Hamilton area for many years, and during World War II, he served as an administrator of the Ravalli County Ration Board.

He also served as mayor of Hamilton for five terms from 1939 through 1948, and was active in both the Elks and the Eagles.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Joseph Iten and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Iten's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
STEPHEN H. "TED" KNOWLES

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Stephen H. "Ted" Knowles on May 6, 1976, in Helena, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Stephen H. "Ted" Knowles be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Stephen H. Knowles died May 6, 1976, in Helena, Montana. He was born May 21, 1899, in Boulder, Montana. He grew up in Boulder, Montana, and attended Jefferson County High School and Montana State University. He was engaged in ranching until he retired in 1954.

On March 29, 1976, he married Elsie Hugo and she survives him.

Representative Knowles served as a Republican state legislator from

Jefferson County during the 20th and 23rd sessions in 1927 and 1933. He also acted as chairman of the Jefferson County Republican Central Committee.

He was a member of the Methodist church and was active in the A.F. & A.M., Scottish Rite, and Algeria Shrine.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Stephen H. "Ted" Knowles and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Knowles' family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
THOMAS A. MANGAN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Thomas A. Mangan on December 24, 1975, in Roswell, New Mexico.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Thomas A. Mangan be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Thomas A. Mangan died December 24, 1975, in Roswell, New Mexico. He was born in County Mayo, Ireland, on March 15, 1888. He spent his childhood in Ireland and came to the United States on January 25, 1917. He moved to Missoula after the First World War and worked for the Northern Pacific Railroad until 1922.

Later, he owned and operated many Missoula restaurants, including the Chicken Inn, the Double Front Cafe, the White Front, and an establishment at the Missoula County Airport.

He married Mary Toolis in Cleveland, Ohio, in 1915 and they had six children, John V., Charles A., Thomas J., Patrick V., Mary M., and Katherine T. Mrs Mangan died in December of 1973 and two children, John V., and Charles A., predeceased him.

Representative Mangan served as a Democratic state legislator during

the 34th and 35th sessions in 1955 and 1957, representing Missoula County. He also served two terms on the Missoula city council.

He was a fourth degree member of Knights of Columbus, was a Golden Eagle in the Eagles organization, was a member of the Elks for 35 years, and was also active in the Moose organization.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Thomas A. Mangan and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Mangan's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
GEORGE M. MUNGAS

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of George M. Mungas on September 13, 1976, in Missoula, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative George M. Mungas be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

George M. Mungas died September 13, 1976, in Missoula, Montana. He was born in Austria on May 5, 1888, and came to the United States in 1902. He settled in Granite County near Philipsburg where he engaged in cattle ranching from 1910 on.

George Mungas and his wife Margaret had one son, George M. Mungas, Jr., both of whom survive him.

Mr. Mungas was instrumental in developing the Flint Creek Valley Water Project, and was a past president of the Montana Stockgrowers Association and a charter member of the National Cowboy Hall of Fame. He was also a member of the Montana State College Experiment Station Advisory Board, director of the Deer Lodge Bank and Trust Company, former school board member, and Granite County chairman of the U.S. Savings Bond program.



Representative Mungas served as a Republican state legislator from Granite county during the 25th session in 1937.

He was a member of the Masonic Lodge and Shrine, was an honorary lifetime member of Rotary, and attended the Episcopal church.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable George M. Mungas and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Mungas' family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
MELVIN LAURENCE SCHNEIDER

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Melvin Laurence Schneider on December 30, 1975, in Miles City, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Melvin Laurence Schneider be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Melvin Laurence Schneider died December 30, 1975, in Miles City, Montana. He was born November 10, 1899, in Wheatland, Iowa, and came to the Baker area with his family in 1911. He grew up on a ranch that is now the Medicine Rocks State Park. Since there were no schools in the area, he taught school in his parents' bedroom when he was 13 years old, and had over 20 pupils. He entered the Army in 1917 and served with the Intelligence Section.

He attended Eastern Montana Normal School, the Art Institute in Chicago, the Illinois College of Photography and Engraving, and graduated with honors from Montana State College. He did graduate work at the University of Montana. He taught in Carter, Fallon, Custer and Lake counties, and was county superintendent in Fallon and Lake counties. He also was an education supervisor in Missoula, a CCC Camp educational advisor at Darby, and had worked on several newspapers.

He organized the first Rural Electrification Project in Ekalaka, and for



many years was in the real estate and photography business with his brother in Miles City and San Diego, California.

Following his retirement, he found time to illustrate several books, "Will Rogers Rode the Range" and "Goals, Gumption, and Grit."

Representative Schneider served as a Democratic state legislator from Fallon County during the 25th Legislative Assembly in 1937.

He was a member of The First Church of Christ, Scientist of Boston, and the Christian Science Society of Baker, Montana. He was also a member of the Knights of Pythias and the Rosicrucian Order, AMORC.

He is survived by a brother, Elmer, of Miles City.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Melvin Laurence Schneider and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Schneider's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
LEE E. SCHUMACHER

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Lee E. Schumacher on November 13, 1975, at Fort Harrison, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Lee E. Schumacher be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Lee E. Schumacher died November 13, 1975, at Fort Harrison, Montana, following a lengthy illness. He was born September 19, 1901, at Madison Lake, Minnesota, and came to Malta with his parents who homesteaded in the Black Coulee community in 1910. He attended the old Black Coulee school, and when he was 16 years old he entered the U.S. Navy, serving until the war was over. He was among the youngest veterans of World War I. Following his discharge from the navy, he worked for the Great Northern Railway.

On December 22, 1928, he married Juliette Plouffe and they had four children, Vaughn, James, Eleanor, and Kay Lee. Mrs. Schumacher died in January of 1977, and the four children survive him.

He purchased a farm in the Strater community in 1929 where the family lived until 1944 when they moved to Malta. During his farming years he continued to work for the railway, for which he worked a total of 27 years.

Representative Schumacher served as a Democratic state legislator during the 34th session in 1955, representing Phillips County.

He was an active participant in city, county, and state affairs. He served as a member of the school board for eight years, was a two-term city councilman, served on the Phillips County Hospital board, was a member of the American Legion Plunge committee, served three terms on the Malta Irrigation District board, and was a member of the 1962-1963 ASC state committee.

He was a lifetime member of the Veterans of Foreign Wars and a charter member of the World War I Veterans' Malta barracks. He was also active in the American Legion.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Lee E. Schumacher and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Schumacher's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

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Peter M. Meloy  
Majority Leader

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Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
ROBERT A. SIEGLING

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of Robert A. Sieglings on December 21, 1976, in Great Falls, Montana.

WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative Robert A. Sieglings be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

Robert A. Siegling died in Great Falls, Montana, on December 21, 1976. He was born on a ranch near Belt Creek, Montana, on December 17, 1892, where he attended school. He later attended the Cream City Business College in Milwaukee, Wisconsin.

He married Kathryn Morris at Great Falls in 1917 and they had two daughters, Dale and Yvonne. Mrs. Siegling and the daughters all survive him.

He and his brother purchased the McLeod Livery Barn in Belt and converted it into a garage. He later sold the garage and moved to California where he worked for the Pacific Electric Railway as a conductor. The family returned to Montana and in the following years he and Mrs. Siegling bought several ranches and raised livestock, primarily black angus. The Siegling family owned the Waldo Hotel in Belt for several years, and at one time owned the Falls Hotel in Great Falls.

Representative Siegling served as a Democratic state legislator during the 26th session in 1939.

He also served as a school trustee and was president of the first Farmers Union at Armington. He later served on the Cascade County Executive Board and was a member of the Montana Cowboys Association. He also acted as a deputy sheriff in Belt under John Earll.

He was active in the Knights of Pythias, the Eagles, and the Moose.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable Robert A. Siegling and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Siegling's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

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John B. Driscoll  
Speaker of the House

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Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

---

Peter M. Meloy  
Majority Leader

---

Robert L. Marks  
Minority Leader

A JOINT LEGISLATIVE MEMORIAL  
ON THE DEATH OF THE LATE  
R. H. WIEDMAN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Forty-fifth Legislature of the State of Montana record the passing of R. H. Wiedman on April 18, 1976, in Polson, Montana.



WHEREAS, it is fitting and proper that the outstanding record and accomplishments of the late Representative R. H. Wiedman be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

R. H. Wiedman died April 18, 1976, in Polson. He was born November 11, 1888, in Maiden, Montana. He graduated from high school at Pony and attended Stanford University before transferring to the University of Montana to study law. He was the last surviving member of the first class to graduate from the University of Montana Law School.

In July of 1916 he married Henrietta McGee in Spokane, Washington and she passed away in 1937. One son, Theodore, died in infancy and a second son, Jack, survives him. In August of 1939 he married Ellen Taylor in Spokane, and she survives him.

He practiced law in several Montana communities and served as deputy county attorney in Flathead County, as Lake County attorney, and as Polson city attorney. He was also a member and chairman of the State Board of Pardons and Parole for seven years. He retired at the age of 82 after practicing law in Lake County for 37 years.

Representative Wiedman served as a Republican state legislator during the 30th, 31st, 32nd, and 33rd sessions, 1947 through 1954, and was majority floor leader in the 1953 session. He acted as chairman of both the Enrolling and the Judiciary committees, and served on the Constitutional Amendment Committee, the Federal Relations Committee, the Fish and Game Committee, the Labor Committee, the Privileges and Elections Committee, the Railroads and Railroad Transportation Committee, the Township and Counties Committee, and was chairman of the Rules Committee.

He was a 50 year member of Masonic Lodge 78, A.F. & A.M., and a member of the York Rite of the Algeria Shrine. He also was a past patron of the Mystic Chapter 53, Order of Eastern Star. He was active in the Salvation Army and served as a reader at St. Andrew Mission Church in Polson and as a member of the Bishop's Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

THAT we hereby express our esteem and respect to the memory of the Honorable R. H. Wiedman and extend to the members of his family our sincere sympathy in their great and irreparable loss.

BE IT FURTHER RESOLVED:

THAT a copy of this memorial be entered upon the journal of the House of Representatives of the Forty-fifth Legislature and that original copies of this memorial, signed by the Speaker of the House of Representatives, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairman of the Necrology Committee, be transmitted to the surviving members of Representative Wiedman's family hereinabove designated and that an original copy of this memorial be filed with the Montana Historical Society.

---

John B. Driscoll  
Speaker of the House

---

Joe F. Kanduch, Sr.  
Chairman, Necrology Committee

---

Peter M. Meloy  
Majority Leader

---

Robert L. Marks  
Minority Leader



Representative Kanduch sang "The Lord's Prayer", accompanied by Ernie Neath.

Representative Porter delivered a tribute entitled "Continuity".

A quartet of Senator Hager and Representatives Lund, Seifert and Kanduch sang "The 23rd Psalm", accompanied by Ernie Neath.

Benediction by Father McCormick.

Senator Warden, Chairwoman of the Senate Necrology Committee, moved that the foregoing Senate memorials be spread upon the journal and copies thereof be sent to the immediate members of the families and to the Montana Historical Society.

Motion carried.

Representative Kanduch, Chairman of the House Necrology Committee, moved that the foregoing House memorials be spread upon the journal and copies thereof be sent to the immediate members of the families and to the Montana Historical Society.

Motion carried.

Motion made by Senator Murphy moved that the Joint Session of the Memorial Service be adjourned.

Motion carried.

President McOmber declared the Joint Session adjourned at 1:30 p.m.

Postlude by Ernie Neath.

#### NECROLOGY COMMITTEE OF THE SENATE

#### NECROLOGY COMMITTEE OF THE HOUSE:

Representative Kanduch, Chairman  
Representative Vincent  
Representative McLane



## FIFTY-NINTH LEGISLATIVE DAY

Helena, Montana  
March 14, 1977

House Chambers  
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Davis, Day, Hirsch, Kimble and Lien, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 125: Waldron, Chairman; Uhde and O'Keefe.

### REPORTS OF STANDING COMMITTEES

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

3/14/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business March 14, 1977:

Ronnie D. Burrows .....	Page
Russ Fagg.....	Page
Joan Haubrick .....	Page
Richard A. Hunt .....	Page
Gregory J. Jellison.....	Page
Jeffrey Leader.....	Page
Patrick Menahan .....	Page
Leah O'Brien.....	Page
Theresa Quilici .....	Page
Jenny Pettit .....	Page

At the beginning of business March 16, 1977, the following also be employed:

Raymond P. Mulcahy .....	Page
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At the beginning of business March 17, 1977, the following also be employed:

Becky G. Meyer.....	Page
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At the close of business March 12, 1977, the following also be terminated:

Patty Jenkins.....	Page
Phyllis Johannes.....	Page
Karen McGrath.....	Page
Christopher A. Mebane .....	Page
Marilyn Novak.....	Page
Sheri L. Spurgin .....	Page
Dwayne Strand .....	Page
David Susong .....	Page

At the close of business March 15, 1977, the following also be terminated:

Kevin L. Brusett.....Page

At the close of business March 16, 1977, the following also be terminated:

Matt Pelletier.....Page

Report adopted.

EDUCATION (Dussault, Chairperson):

3/14/77

SB 387, be not concurred in.

SB 389, be concurred in. Report adopted.

SB 421, third reading bill, be amended as follows:

1. Amend page 3, section 7, line 9.

Following: "treasury"

Strike: "within the agency fund"

And as amended, be concurred in. Report adopted.

SB 138, third reading bill, be amended as follows:

1. Amend title, lines 7 and 8.

Following: "1947"

Strike: "; and providing an immediate effective date"

2. Amend page 1, section 1, subsection (1), lines 16 and 17.

Following: "employ"

Strike: "secretarial staff necessary"

Insert: "a secretary"

3. Amend page 1, section 1, subsection (3), line 22.

Following: line 21

Strike: "sufficient secretarial staff"

Insert: "a secretary"

4. Amend page 1, section 1, subsection (3), line 23.

Following: line 22

Strike: "executive"

Insert: "professional"

5. Amend page 2, section 3, lines 16 and 17.

Following: line 15

Strike: lines 16 and 17 in their entirety

And as amended, be concurred in. Report adopted.

SB 300, third reading bill, be amended as follows:

1. Amend title, line 9.

Following: line 8

Strike: "75-6728,"

2. Amend page 8, section 3, lines 21 and 22.

Following: line 20

Strike: lines 21 and 22 in their entirety

Insert: "county superintendent of the county in which he is teaching."

3. Amend page 20, section 14, lines 13 through 23.

Following: line 12

Strike: lines 13 through 23 in their entirety

Renumber: subsequent sections

And as amended, be concurred in. Report adopted.



## LABOR AND EMPLOYMENT RELATIONS

(Kimble, Chairman):

3/14/77

SJR 40, be concurred in. Report adopted.

SJR 38, be concurred in. Report adopted.

SB 186, be concurred in. Report adopted.

## RULES (Meloy, Chairman):

3/14/77

Representative Fagg's motion to reconsider Representative Kvaalen's motion to recall Senate Bill 134 is out of order because the request to recall the bill had already been transmitted to the Senate.

Report adopted.

Kimble present at this time.

House Rule 7-3 be amended as follows:

1. Amend H7-3, page 83.

Insert: a new paragraph as follows:

"Prior to action on second reading, no bill with an adverse committee report may be rereferred to any committee after placement on second reading except for the rules committee, the appropriations committee, or the committee from which the bill came."

Meloy moved that the Rules Committee report be adopted.

As a substitute motion, Lynch moved that the Rules Committee report be not adopted. Motion carried.

## BILLS (Quilici, Chairman):

3/14/77

Correctly enrolled - HB 13, HB 15, HB 18, HB 82, HB 136, HB 234, HB 276, HB 289, HB 290, HJR 8, HJR 26.

Signed by the Speaker of the House and President of the Senate, and delivered to the Governor for his approval at 9:30 a.m., 3/14/77 - HB 14, HB 17, HB 30, HB 36, HB 40, HB 240, HB 477, HB 481.

Will be signed by the Speaker on adjournment, 3/14/77 - HB 13, HB 15, HB 18, HB 136, HB 234, HB 276, HB 289, HB 290.

## JUDICIARY (Scully, Chairman):

3/11/77

SB 346, be not concurred in.

## NATURAL RESOURCES (Shelden, Chairman):

3/14/77

SJR 14, third reading copy, be amended as follows:

1. Amend page 2, line 25.

Following: "sent"

Insert: "by the Secretary of State"

Following: "to the"

Insert: "Governor and to the"

2. Amend page 3, line 1.

Following: "herein"

Strike: "by the Secretary of State"

And as amended, be concurred in. Report adopted.

SJR 18, be concurred in. Report adopted.

On motion by Kimble, and in accordance with the 24-hour rule, the adverse committee report on SB 436 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss,

Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Harper, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Turner, Underdal, Vinger, Waldron, Williams, Wood.

Total 69

Noes: Barrett, Burnett, Estenson, Fagg, J. Gunderson, Hansen, Harrington, Holmes, Hurwitz, Kropp, Kvaalen, Metcalf, Nathe, O'Keefe, Ramirez, Smith, Stobie, Tower, Uhde, Vincent, Wyrick, Mr. Speaker.

Total 22

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: E. Gunderson, Keyser, Mular, O'Connell, Scully.

Total 5

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolutions concurred in as amended by  
the Senate, and returned to the House  
for concurrence in Senate Amendments:

3/12/77

House Bill No. 24, introduced by Kvaalen

House Bill No. 25, introduced by Marks

House Bill No. 62, introduced by Bardanouve

House Joint Resolution No. 68, introduced by Committee on Fish and  
Game (Staigmillier, Chairman)

Senate, on motion duly carried, did not accede  
to the request for the return  
of Senate Bill No. 91.

3/12/77

Bills passed by the Senate and transmitted to the House  
for concurrence:

3/12/77

Senate Bill No. 71, introduced by State Administration Committee  
(Towe, Chairman)

Senate Bill No. 352, introduced by Jergeson

Bill concurred in by the Senate and returned  
to the House:

3/12/77

House Bill No. 66, introduced by Robbins, Bertelsen, et al

Bills on Committee of the Whole in the Senate,  
recommended further action be indefinitely  
postponed, reports adopted,  
and returned to the House:

3/11/77

House Bill No. 409, introduced by Meloy

House Bill No. 582, introduced by Feda, Mular, Day, et al

Bills on Committee Report not concurred in  
by the Senate, reports adopted,  
and returned to the House:

3/11/77

House Bill No. 210, introduced by Fabrega, Wyrick, et al

House Bill No. 406, introduced by Williams, Kimble

House Bill No. 747, introduced by Fagg

Resolution on Committee Report, not concurred in  
by the Senate, report adopted,  
and returned to the House:

3/11/77

House Joint Resolution No. 37, introduced by Hirsch, Estenson, South

### MOTIONS

Barrett moved that consideration of SJR 25 be passed until the 65th day. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time and referred to committees:

SB 71, introduced by Senate Committee on State Administration;  
Towe, Chairman, (By Request). Referred to Committee on State  
Administration.

SB 352, introduced by Jergeson. Referred to Committee on Taxation.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 122 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bradley, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kessler, Keyser, Kimble, Lien, Lory, Lynch, Marks, Meloy, Menahan, Metcalf, Mular, Palmer, Quilici, Ramirez, Robbins, Scully, Severson, Shelden, South, Teague, Vincent, Waldron, Williams, Mr. Speaker.  
Total 51

Noes: R. Baeth, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Fabrega, Fedra, Gould, Halvorson, Hand, Jensen, Johnston, Kenny, Kropp, Kvaalen, Lund, McLane, Manuel, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Roth, Ryan, Seifert, Sivertsen, Smith, Staigmillar, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Wood, Wyrick.  
Total 48.

Paired: Day, Gerke, Hirsch, Lien, Ayes; Burnett, Davis, Meyer, Seifert, Noes.

Excused: None.

Total 0

Absent or not voting: Kennerly.

Total 1

House Bill No. 198 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson,

Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Stobie, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 82

Noes: Colburn, Curtiss, Ellison, Gould, McLane, Porter, Ryan, Severson, Teague, Tower, Turner, Vinger.

Total 12

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Ramirez, Smith.

Total 2

Senate Bill No. 108 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Ellison, J. Gunderson, Smith.

Total 3

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 115 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0



Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 119 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Bertelsen, Brand.

Total 2

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 128 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Teague.

Total 1

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Curtiss, Turner.

Total 2

Senate Bill No. 147 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington,

Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 215 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Burnett, Dussault, Menahan, Meyer, Moore, Palmer, Roth, Smith, Stobie, Vinger.

Total 10

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Severson.

Total 1

Senate Bill No. 229 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 250 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Meloy.

Total 1

Senate Bill No. 262 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 312 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E.



Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Huennekens.

Total 1

Senate Bill No. 314 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Cox.

Total 1

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 335 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Dussault, Holmes, Smith.

Total 3



Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Gerke.

Total 1

Senate Bill No. 437 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Brand, Cox.

Total 2

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Stobie.

Total 1

Senate Joint Resolution No. 8 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Estenson, Fagg, Kenny, Lory, Lund, Lynch, Nathe, Porter, Ramirez, Roth, Ryan, Seifert, Stobie, Vinger.

Total 14

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Gerke, Meyer.

Total 2

Senate Joint Resolution No. 11 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens,

Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Brand, Burnett, Feda, Jensen, Smith, Vinger.

Total 6

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Gerke, Meyer.

Total 2

Senate Joint Resolution No. 17 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Brand.

Total 1

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Gerke, Kennerly.

Total 2

Senate Joint Resolution No. 23 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Kenny, Roth, Ryan, Smith, Vinger.

Total 5

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Gerke.

Total 1

Senate Joint Resolution No. 36 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Dussault, Estenson, Smith, Vincent.

Total 4

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Gerke.

Total 1

Senate Amendments to House Bill No. 39 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: W. Baeth, Colburn, Gerke, Kropp, Shelden, Wyrick.

Total 6

Senate Amendments to House Bill No. 196 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J.



Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 84

Noes: Courtney, Huennekens, Jensen, O'Connell, Teague, Tropila.  
Total 6

Excused: Davis, Day, Hirsch, Lien.  
Total 4

Absent or not voting: Colburn, Gerke, Mular, Scully, Shelden, Wood.  
Total 6

Senate Amendments to House Bill No. 626 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 84

Noes: Bardanouve, Bertelsen, Brand, Courtney, Dussault, Huennekens, Kessler, O'Connell.  
Total 8

Excused: Davis, Day, Hirsch, Lien.  
Total 4

Absent or not voting: Colburn, Gerke, Scully, Shelden.  
Total 4

Senate Amendments to House Joint Resolution 40 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, South, Staigmillar, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 85

Noes: Estenson, J. Gunderson, Hand, Keyser, Roth, Smith, Tropila.  
Total 7



Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Colburn, Ellis, Scully, Shelden.

Total 4

Senate Amendments to House Joint Resolution No. 48 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Estenson, Smith.

Total 2

Excused: Davis, Day, Hirsch, Lien.

Total 4

Absent or not voting: Colburn, Ellerd, Scully, Shelden.

Total 4

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Sivertsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 83 be concurred in. (82-0)

That SB 260 be concurred in. (70-14)

That SB 322 be concurred in. (78-1)

That SB 356 be concurred in. (75-4)

That SB 58 be placed at the bottom of the board.

That SJR 22 be concurred in. (68-11)

That SJR 32 be concurred in. (69-10)

That SJR 33 be concurred in. (67-15)

That SB 17 be concurred in. (80-3)

That SB 144 be concurred in. (83-2)

That SB 357 be concurred in. (84-1)

That SB 358 be concurred in. (78-5)

That SB 430 be concurred in. (86-0)

That SB 58 be concurred in. (86-2)

That SA to HB 20 be concurred in. (81-2)

That the committee rise and report. (Sivertsen, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Examined by Sponsors and found to be correct - HB 13, HB 15, HB 18, HB 136, HB 234, HB 276, HB 289, HB 290.

### LABOR AND EMPLOYMENT RELATIONS

(Kimble, Chairman):

3/11/77

SB 234, be concurred in. Report adopted.

Meloy moved that the House adjourn until 1:30 p.m., Tuesday, March 15, 1977.

Motion carried.

House adjourned at 3:20 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## SIXTIETH LEGISLATIVE DAY

Helena, Montana  
March 15, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Father John Robertson, Helena Catholic Diocese. Pledge of Allegiance to the Flag.

Roll call. All members present except Davis and Mular, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Fifty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/15/77

Correctly printed - HB 207, HB 627, HB 699.

Correctly enrolled - HB 23, HB 27, HB 74, HB 275.

Correctly engrossed - HB 689.

Were signed by the Speaker on adjournment, 3/14/77 - HB 13, HB 15, HB 18, HB 136, HB 234, HB 276, HB 289, HB 290.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:00 a.m., 3/15/77 - HB 13, HB 15, HB 18, HB 136, HB 234, HB 276, HB 289, HB 290.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman): 3/15/77

SB 10, be concurred in. Report adopted.

SB 24, be concurred in. Report adopted.

SB 178, be concurred in. Report adopted.

SB 327, be concurred in. Report adopted.

SB 420, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman):

3/14/77

HB 3, introduced bill, be amended as follows:

1. Amend page 2, section 3, line 16.

Following: "domiciled."

Insert: "To qualify as habitable property, the unit must be the primary residence of the taxpayer. Recreational property that is not the primary residence of the occupant does not qualify as habitable property."

2. Amend pages 3 through 5, section 3, lines 14 through 1 on page 5.

Following: line 13

Strike: line 14 through line 1, page 5, in their entirety

Insert: "(2)(a) Total personal income means adjusted gross income as defined in 84-4905."

3. Amend page 8, section 5, lines 6, 7, 8.

Following: "year."

Strike: "The total personal income shall be itemized according to the categories listed in (section 3(2))\*."

4. Amend page 8, section 5, lines 10, 11, 12, 13.

Following: "report."

Strike: "The forms and instructions shall explain that the total personal income requires the inclusion of several items not included in federal or state returns, and every resident"

Insert: "Every taxpayer"

5. Amend page 9, section 5, subsection (4), line 10.

Following: "who"

Strike: "set"

Insert: "calculate"

6. Amend page 9, section 5, subsection (4), line 14.

Following: "budgets"

Strike: "they"

Insert: "the responsible officials"

7. Amend page 9, section 5, subsection (4), line 25.

Following: line 24

Strike: "set"

Insert: "calculate"

8. Amend page 16, section 10, line 2.

Following: "taxes."

Insert: "On or before August 1, 1979, and each year thereafter, the department shall furnish to each county a list of its delinquent taxpayers."

9. Amend page 17, section 11, line 7.

Following: "at."

Strike: "These statements shall be mailed on or before May 15 of each year, and the taxpayer shall pay the amount due on or before June 10 of each year."

10. Amend pages 17 and 18, section 12, line 10 through line 6 on page 18.

Following: "Section 12."

Strike: section 12 in its entirety

Insert: "Information to tenants. When a landlord receives his 1978 tax bill he shall inform each tenant in writing of his remission of taxes on the rental and his intentions concerning any reduction in rent."

11. Amend page 18, section 13, line 11.

Following: "state."

Insert: "The taxes required by this act shall comply with the mandatory tax levies upon property required elsewhere in the revised code of Montana."

12. Amend page 19, section 13.

Following: line 1

Insert: "(5) When tax advantages or penalties are used as incentives for proper use of land under the Montana Economic Land Development Act, selected habitable property that is excused by this chapter from having millage levied against it may have variable tax penalties reapplied against it as provided by law."

Renumber: subsequent section

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

On motion by Dussault, and in accordance with the 24-hour rule, the adverse committee report on SB 387 was adopted by the following vote:



Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Seifert, Shelden, South, Staigmillier, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Fabrega, Feda, Lien, Lund, Moore, Scully.

Total 6

Excused: Davis, Mular.

Total 2

Absent or not voting: R. Baeth, Ellerd, Estenson, Fagg, Kimble, Lynch, Quilici, Severson, Sivertsen, Smith, Teague, Tower.

Total 12

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on SB 346 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Nathe, Tropila.

Total 2

Excused: Davis, Mular.

Total 2

Absent or not voting: Dussault, Fagg, Hirsch, Kimble, O'Connell, Sivertsen, Teague.

Total 7

## MESSAGES FROM THE GOVERNOR

March 14, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that I have approved this date House Bill Nos. 53, 131, 149, 246, 364, and 580.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

3/3/77

Senate acceded to the request of the House dated 3/3/77, and the following members were appointed to a Conference Committee to confer on Senate Amendments to House Bill No. 125:

Senator Graham  
Senator Turnage  
Senator Aber

Bill concurred in as amended by the Senate and returned to the House for concurrence in Senate Amendments:

3/14/77

House Bill No. 41, introduced by Marks

Bills on Committee of the Whole in the Senate, recommended that further action be indefinitely postponed, reports adopted, and returned to the House:

3/14/77

House Bill No. 308, introduced by Mular, Brand, et al

House Bill No. 675, introduced by Ellison, Burnett, et al

Bill passed by the Senate and transmitted to the House for concurrence:

3/14/77

Senate Bill No. 354, introduced by Rasmussen, Dunkle

### MOTIONS

Meloy moved that the Joint Rules be temporarily suspended and the House be permitted to accept Senate appropriations and revenue bills until the 72nd Legislative Day, with the condition that joint hearings between the Senate Finance and Claims Committee and the House Appropriations Committee be held on appropriation bills. No further hearings will be held on those bills heard in joint committees. Motion carried.

Meloy moved that consideration be passed on HB 141 until the 70th Legislative Day. Motion carried.

Estenson moved that consideration of SB 138 be passed for the day. Motion carried.

Smith moved that the House reconsider its action on HB 122 and ask the Senate to return it to the House. Motion withdrawn.

Lory moved that SB 421 be rereferred from Second Reading to the Committee on Education. Motion carried.

Kimble moved that the rules be temporarily suspended to allow for the introduction of a House joint resolution designating May 1 as Law Day. Motion carried.

Scully moved that SB 58 be rereferred from Third Reading to Second Reading. Motion carried.

Ellerd moved that the rules be temporarily suspended to allow for the

introduction of a joint resolution regarding the appointment of an interim committee to make a study on the moving and marketing of livestock. Motion carried.

Brand moved that SB 27 be rereferred from the Committee on State Administration to the Committee on Judiciary. Motion carried.

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following bills were introduced, read first time and referred to committees:

HB 828, introduced by Gerke, Williams, Teague, Lynch, Day, Bengtson, Manuel, Brand, (By Request of the Governor). Referred to Committee on Appropriations.

HB 829, introduced by Driscoll, Meloy. Referred to Committee on Appropriations.

HB 830, introduced by Driscoll. Referred to Committee on Appropriations.

The following Senate bill was introduced, read first time and referred to committee:

SB 354, introduced by Rasmussen, Dunkle. Referred to Committee on Appropriations.

### **THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 73 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Colburn.

Total 1

Excused: Davis, Mular.

Total 2

Absent or not voting: Bardanouve, Huennekens, Lien, Lynch, Tower.

Total 5

Senate Bill No. 260 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz,

Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 85

Noes: Burnett, Ellison, Feda, Jensen, Kenny, Lund, Moore, Smith, Underdal, Wyrick.

Total 10

Excused: Davis, Mular.

Total 2

Absent or not voting: Bardanouve, McLane, Tower.

Total 3

Senate Bill No. 322 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Moore, Uhde.

Total 2

Excused: Davis, Mular.

Total 2

Absent or not voting: Bertelsen, Severson, Tower.

Total 3

Senate Bill No. 349 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Brand, Cox, Gerke, Roth.

Total 4

Excused: Davis, Mular.



Total 2

Absent or not voting: Fedá, Lory, Sivertsen, Tower.

Total 4

Senate Bill No. 356 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88

Noes: W. Baeth, Brand, Dussault, Hand, Moore, Shelden, Smith.

Total 7

Excused: Davis, Mular.

Total 2

Absent or not voting: Severson, Tower, Wood.

Total 3

Senate Bill No. 361 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Burnett, Day, Keyser, Moore, Nathe, Roth, Seifert.

Total 7

Excused: Davis, Mular.

Total 2

Absent or not voting: Lory, Stobie, Tower, Underdal.

Total 4

Senate Bill No. 415 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp,

Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.

Total 82

Noes: Bengtson, Brand, Courtney, Ellison, Ernst, Kenny, Moore, O'Connell, Palmer, Roth, Severson, Teague, Waldron, Wyrick.

Total 14

Excused: Davis, Mular.

Total 2

Absent or not voting: Stobie, Tower.

Total 2

Senate Bill No. 430 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Burnett.

Total 1

Excused: Davis, Mular.

Total 2

Absent or not voting: Hirsch, Tower.

Total 2

Senate Joint Resolution No. 22 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Seifert, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 79

Noes: Bardanouve, Brand, Courtney, Dussault, J. Gunderson, Holmes, Huennekens, Kimble, O'Connell, Palmer, Quilici, Ryan, Scully, Smith, Vincent, Waldron.

Total 16

Excused: Davis, Mular.

Total 2

Absent or not voting: Estenson, Severson, Tower.

Total 3

Senate Joint Resolution No. 32 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Brand, Day, Hansen, Kenny, McLane, Ryan, Smith, Teague.

Total 8

Excused: Davis, Mular.

Total 2

Absent or not voting: Huennekens, Tower.

Total 2

Senate Joint Resolution No. 33 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Bengtson, Estenson, Hansen, Kenny, McLane, Moore, Porter, Roth, Ryan, Smith, Turner, Vinger.

Total 12

Excused: Davis, Mular.

Total 2

Absent or not voting: Curtiss, Waldron.

Total 2

Senate Amendments to House Bill No. 20 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny,

Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Davis, Mular.

Total 2

Absent or not voting: Curtiss, Huennekens, Sivertsen, Waldron.

Total 4

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion Carried.

Harrington in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 186 be concurred in. (81-4)

That SB 234 be concurred in. (87-0)

That SB 300 be concurred in. (79-6)

That SB 389 be concurred in. (74-11)

That SB 397 be concurred in. (89-0)

Mular present at this time.

That SJR 14 be concurred in. (92-0)

That SJR 18 be concurred in. (89-3)

That SJR 38 be concurred in. (91-0)

That SJR 40 be concurred in. (68-27)

That SB 58 be passed for the day.

That SA to HB 24 be placed at the bottom of the board.

That SA to HB 25 be concurred in. (83-3)

That SA to HB 62 be passed for the day.

That SA to HJR 68 be concurred in. (52-38)

That SA to HB 24 be concurred in. (76-11)

Davis present at this time.

That the committee rise and report. (Harrington, Chairman)

Marks moved that SB 389 be segregated from the Committee of the Whole report. Motion carried.



Bradley moved that Senate Amendments to HJR 68 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

### MESSAGES FROM THE OTHER HOUSE

3/15/77

Senate, on motion, requests the return of House Bill No. 308 for further consideration.

### MOTIONS

Pistoria moved that the House reconsider its action of the previous legislative day in passing HB 122 on Third Reading and that it be recalled from the Senate. Motion failed (36-59)

Meloy moved that the House adjourn until 1:30 p.m., Wednesday, March 16, 1977.

Motion carried.

House adjourned at 3:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SIXTY-FIRST LEGISLATIVE DAY

Helena, Montana  
March 16, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixtieth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

Correctly enrolled - HB 21, HB 32. 3/15/77  
3/16/77

Correctly enrolled - HB 12, HB 35, HB 37, HB 196, HB 254, HJR 15.  
Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 2:00 p.m., 3/15/77 - HB 72, HB 94, HB 173, HB 206, HB 319, HB 459, HB 483.

Examined by the Sponsors and found to be correct - HB 27, HB 74, HB 82, HB 275, HJR 26.

Will be signed by the Speaker on adjournment, 3/16/77 - HB 27, HB 74, HB 82, HB 275, HJR 26, SB 13, SB 45, SB 104.

#### AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman): 3/15/77

SB 131, third reading copy, be amended as follows:

1. Amend page 1, section 1, lines 15 and 16.

Following: "and"

Strike: "on the third Saturday in April"

Insert: "within 40 days"

2. Amend page 1, section 1, line 21.

Following: "begin"

Strike: "on the third Saturday in April"

Insert: "on the date of the organizational meeting"

And as amended, be concurred in. Report adopted.

SB 373, be concurred in. Report adopted.

#### LOCAL GOVERNMENT (Robbins, Chairman): 3/16/77

SB 142, be concurred in. Report adopted.

#### STATE ADMINISTRATION (Brand, Chairman): 3/16/77

SB 106, be not concurred in.

SB 160, be not concurred in.

SB 197, be not concurred in.

SB 228, be concurred in. Report adopted.

SB 290, be concurred in. Report adopted.

SB 395, be concurred in. Report adopted.

SB 429, be concurred in. Report adopted.

#### BUSINESS AND INDUSTRY (Vincent, Chairman): 3/16/77

SB 207, be concurred in. Report adopted.

SB 219, be concurred in. Report adopted.

SB 223, third reading bill, be amended as follows:

1. Amend page 3, section 1, subsection (C), line 24.

Following: "25()"

Insert: "of"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 258, be concurred in. Report adopted.

SB 270, be concurred in. Report adopted.

SB 277, be concurred in. Report adopted.

SB 283, be concurred in. Report adopted.

SB 287, be concurred in. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

3/15/77

Senate accedes to the request of the House and herewith returns Senate Bill No. 134 for further consideration.

Bills and Resolutions concurred in by the Senate  
and returned to the House:

3/15/77

House Bill No. 98, introduced by Fabrega, Bertelsen, Ellis, South, et al (by request)

House Bill No. 184, introduced by Palmer, Cooney, Kessler, et al

House Bill No. 347, introduced by Estenson, Harrington, et al

House Bill No. 359, introduced by Lynch

House Joint Resolution No. 64, introduced by E. Gunderson, Robbins, Day, et al

House Joint Resolution No. 76, introduced by W. Baeth

Bill on Committee Report not concurred in  
by the Senate, report adopted,  
and returned to the House:

3/15/77

House Bill No. 93, introduced by Underdal (by request)

Bill on Committee of the Whole in the Senate  
recommended that further action be  
indefinitely postponed, and  
returned to the House:

3/15/77

House Bill No. 174, introduced by Holmes, Ellerd, et al

3/15/77

House Bill No. 361, introduced by Day, Bengston, et al, requiring adoption by two-thirds vote of all the members of the legislature, was passed by the Senate and returned to the House with the following vote:

SENATE

HOUSE OF REPRESENTATIVES

YEAS - 41

YEAS - 78

NAYS - 8

NAYS - 19

### MOTIONS

Fabrega moved that consideration of HB 398 be passed to the 65th Legislative Day. Motion carried.



**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 40 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Palmer.

Total 1

Senate Bill No. 89 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Palmer.

Total 1

Senate Bill No. 144 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan,

Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Roth.

Total 1

Senate Bill No. 186 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Burnett, Davis, Ellison, Ernst, Frates, Manuel, Smith.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Senate Bill No. 234 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Burnett.

Total 1

Excused: None.

Total 0

Absent or not voting: Hansen, Huennekens.

Total 2

Senate Bill No. 269 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 76

Noes: Aageson, Barrett, Burnett, Curtiss, Ellerd, Ellison, Ernst, Feda, Hansen, Kropp, Lund, McLane, Roth, Severson, Sivertsen, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wyrick.

Total 22

Excused: None.

Total 0

Absent or not voting: Marks, Meyer.

Total 2

Senate Bill No. 397 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Senate Joint Resolution No. 18 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison,



Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 95

Noes: Hand, Metcalf, Smith, Stobie.

Total 4

Excused: None.

Total 0

Absent or not voting: Wood.

Total 1

Senate Joint Resolution No. 38 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kenny.

Total 1

Senate Joint Resolution No. 40 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Harper, Harrington, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Teague, Tower, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 69

Noes: Aageson, Barrett, Bertelsen, Davis, Ellerd, Ellison, Estenson, Fedá, Hansen, Hirsch, Hurwitz, Jensen, Keyser, Kropp, McLane, Manuel, Marks, Meyer, Moore, Nathe, Roth, Sivertsen, Smith, Staigmilller, Stobie, Underdal, Vinger, Wood, Wyrick.



Total 29

Excused: None.

Total 0

Absent or not voting: E. Gunderson, Turner.

Total 2

Senate Amendments to House Bill No. 24 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Brand, Cooney, Courtney, J. Gunderson, Harper, Mular, Stobie, Teague, Tropila.

Total 9

Excused: None.

Total 0

Absent or not voting: Ellerd, Kessler.

Total 2

Senate Amendments to House Bill No. 25 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Gilligan, Gould, Halvorson, Hand, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Brand, Courtney, Frates, E. Gunderson, J. Gunderson, Hansen, Harper, Mular, Tropila.

Total 9

Excused: None.

Total 0

Absent or not voting: Davis, Ellerd, Gerke.

Total 3

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Bertelsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 58 be amended as follows:

1. Amend page 2, line 22.

Following: "member"

Insert: "or nonmember" (89-0)

And as amended, be concurred in. (88-1)

That SB 138 be amended as follows:

1. Amend amendment no. 3 (Standing Committee Amendments of the House Committee on Education, March 11, 1977).

Strike: amendment no. 3 in its entirety

2. Amend page 1, section 1, line 22 (third reading copy).

Following: line 21

Strike: "sufficient secretarial staff and" (90-3)

And as amended, be concurred in. (51-44)

That the committee rise and report. (Bertelsen, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/16/77

Correctly enrolled - HB 33, HB 203, HB 626, HJR 38.

Examined by Sponsors and found to be correct - HB 12, HB 21, HB 23, HB 32, HB 35, HB 37, HB 196, HB 254, HJR 8, HJR 15.

Will be signed by the Speaker on adjournment, 3/16/77 - HB 12, HB 21, HB 23, HB 32, HB 35, HB 37, HB 196, HB 254, HJR 8, HJR 15.

EDUCATION (Dussault, Chairperson):

3/16/77

SB 188, be concurred in. Report adopted.

SB 421, third reading bill, be amended as follows:

1. Amend page 1, section 3, line 13.

Following: "Section 3."

Strike: "Definition"

Insert: "Definitions"

Following: "act"

Strike: ","

Insert: " (1)"

2. Amend page 1, section 3, line 17.

Following: "Montana"

Insert: "; (2) 'postsecondary institution' includes the units of the university system and any postsecondary institution accredited or licensed under Title 75, chapter 92, R.C.M. 1947"

And as amended, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman):

SB 132, third reading bill, be amended as follows:

3/9/77

1. Amend title, lines 6 and 7.

Following: "sale"

Insert: "or assignment of excess water"

Following: "by"

Strike: "a water"

Insert: "an"

Following: "of water"

Strike: "in excess of his needs"

Insert: "in an irrigation district"

2. Amend page 2, section 2, lines 4 through 6.

Following: line 3

Strike: section 2 in its entirety

Renumber: subsequent section

And as amended, be concurred in. Report adopted.

SB 187, be concurred in. Report adopted.

3/16/77

SB 230, be not concurred in.

SB 254, be concurred in. Report adopted.

SB 316, be concurred in. Report adopted.

3/8/77

SB 326, be concurred in. Report adopted.

3/16/77

SB 393, be concurred in. Report adopted.

SJR 20, be concurred in. Report adopted.

3/10/77

Meloy moved that the House adjourn until 1:00 p.m., March 17, 1977.

Motion carried.

House adjourned at 3:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## SIXTY-SECOND LEGISLATIVE DAY

Helena, Montana  
March 17, 1977

House Chambers  
Capitol Building

House convened at 1:15 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll Call. All members present except Tower, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/17/77

Correctly printed - HB 3.

Correctly enrolled - HB 20, HB 39, HB 66, HB 347, HB 359, HB 361, HJR 40, HJR 48, HJR 64.

Were signed by the Speaker on adjournment, 3/16/77 - HB 12, HB 21, HB 23, HB 27, HB 32, HB 35, HB 37, HB 74, HB 82, HB 196, HB 254, HB 275, HJR 8, HJR 15, HJR 26, SB 13, SB 45, SB 104.

Will be signed on adjournment, 3/17/77 - HB 203, HB 626, HJR 38, SB 103, SB 152, SB 159, SB 184, SB 383, SJR 27.

Examined by Sponsors and found to be correct - HB 203, HB 626, HJR 38.

JUDICIARY (Scully, Chairman): 3/17/77

SB 101, third reading copy, be amended as follows:

1. Amend title, line 6.

Following: "by"

Strike: "a legislator"

Insert: "legislators"

2. Amend page 1, section 1, line 22.

Following: "any"

Strike: "five"

Insert: "fifteen"

3. Amend page 2, section 1, line 1.

Following: "the"

Strike: "agencies"

Insert: "agency"

4. Amend page 2, section 1, line 3.

Following: "reaffirms"

Insert: ", amends or replaces"

5. Amend page 2, section 1, lines 3 through 5.

Following: "rule"

Strike: lines 3 through 5 in their entirety

Insert: "."

And as amended, be concurred in. Report adopted.

SB 149, be concurred in. Report adopted.

SB 396, be concurred in. Report adopted.

SJR 16, reported without recommendation. Report adopted.

STATE ADMINISTRATION (Brand, Chairman):

3/17/77

SJR 35, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman):

3/16/77

HB 735, introduced bill, be amended as follows:

1. Amend title, line 4.

Following: "act"

Strike: "to impose the bank share tax upon the bank;"

2. Amend title, line 6.

Following: "purposes;"

Strike: "to provide for equalization of the value of bank shares for tax purposes"

Insert: "providing a period of effectiveness"

3. Amend title, line 8.

Following: "amending"

Strike: "sections"

Insert: "section"

Following: "84-307"

Strike: "84-308, 84-401, 84-4602, 84-4603, 84-4604, and 84-4605; and providing an effective date"

Insert: "R.C.M. 1947"

4. Amend page 2, section 2, line 6 through line 10, page 9.

Following: line 5

Strike: sections 2, 3, 4, 5, 6 and 7 in their entirety

Renumber: subsequent section

5. Amend page 9, section 8, line 11.

Following: "Section 8."

Strike: "Effective date"

Insert: "period of effectiveness"

6. Amend page 9, section 8, line 14.

Following: "and"

Strike: "following"

Insert: "1978"

And as amended do pass. Report adopted.

Objection raised by Dussault on 3/17/77 on adverse committee report on SB 160. Referred to Second Reading.

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on SB 106 was adopted by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Meloy, Menahan, Metcalf, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robins, Roth, Siefert, Severson, Sivertsen, Smith, Staigmiller, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.

Total 72

Noes: Barrett, Ellison, Fabrega, Keyser, Marks, Moore, Uhde, Wood.

Total 8

Excused: Tower.

Total 1

Absent or not voting: W. Baeth, Burnett, Dassinger, Davis, Fagg, J. Gunderson, Harper, Kimble, Lynch, Meyer, Mular, O'Connell, Ramirez, Ryan, Scully, Shelden, South, Stobie, Waldron.

Total 19

On motion by Lien, and in accordance with the 24-hour rule, the adverse committee report on SB 197 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Roth, Seifert, Severson, South, Staigmillier, Tropila, Underdal, Vincent, Williams, Mr. Speaker.

Total 65

Noes: Aageson, Bertelsen, Curtiss, Davis, Ellerd, Ellison, Ernst, Feda, Hirsch, Hurwitz, Kropp, Lund, McLane, Marks, Nathe, Pistoria, Robbins, Sivertsen, Smith, Teague, Turner, Uhde, Vinger, Wood, Wyrick.

Total 25

Excused: Tower.

Total 1

Absent or not voting: Burnett, Fagg, Harper, Mular, Ryan, Scully, Shelden, Stobie, Waldron.

Total 9

## REPORTS OF SELECT COMMITTEES

### CONFERENCE COMMITTEE REPORT

#### ON HOUSE BILL NO. 581

Report No. 1, March 15, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 15, 1977, and considered Senate Committee of the Whole Amendment to House Bill No. 581, dated March 4, 1977, and recommend as follows:

That the Senate recede from Senate Committee of the Whole Amendment No. 1, this amendment reading as follows:

1. Amend page 2, section 1, line 3.

Following: line 3

Insert: "(3) If the speedometer fails enroute it will be deemed as being in good working order until it reaches the next terminal where it will be exchanged with an engine with a working speedometer, if one is available."

Further, the committee recommends that House Bill No. 581, third reading copy, be amended as follows:

1. Amend page 2, section 1.

Following: line 3

Insert: "(3) If the speedometer fails enroute it will be deemed as

being in good working order until it reaches the next terminal where it will be exchanged with a unit with a working speedometer, if one is available."

And that House Bill No. 581, as amended, be concurred in.

**FOR THE SENATE:**

BROWN, Chairman  
LOCKREM  
LEE

**FOR THE HOUSE:**

DASSINGER, Chairman  
BRAND  
FEDA

**MESSAGES FROM THE OTHER HOUSE**

House Amendments to the following Senate Bills  
concurred in by the Senate:

3/16/77

Senate Bill No. 79, introduced by Regan, Graham

Senate Bill No. 169, introduced by Lowe, Dunkle, et al

Senate Bill No. 181, introduced by Mathers

Bills concurred in as amended by the Senate,  
and returned to the House for concurrence  
in Senate Amendments:

3/16/77

House Bill No. 430, introduced by Hirsch, Fagg, Bradley, et al

House Bill No. 535, introduced by Williams, Aageson, Nathe, et al

House Bill No. 591, introduced by Fabrega, Conroy, et al

Bills passed by the Senate and transmitted  
to the House for concurrence:

3/16/77

Senate Bill No. 239, introduced by Boylan, Manley, Bergren, et al

Senate Bill No. 247, introduced by Dover, Dunkle, Boylan

Senate Bill No. 324, introduced by Dunkle, Thiessen, Galt, et al

Senate Bill No. 350, introduced by Stephens, Kolstad

Senate Bill No. 385, introduced by Thomas, Mehrens, Healy, et al

Bills on Committee Report, not concurred in  
by the Senate, reports adopted,  
and returned to the House:

3/16/77

House Bill No. 412, introduced by Meloy, Menahan, Uhde, et al

House Bill No. 743, introduced by Ramirez, Holmes, Hand, et al

Bills on Committee of the Whole in the Senate,  
recommended that further action be  
indefinitely postponed, reports adopted,  
and returned to the House:

3/16/77

House Bill No. 171, introduced by Porter, O'Keefe, Jensen, et al

House Bill No. 518, introduced by Waldron, Fabrega, et al

Bills and Resolutions concurred in by the Senate  
and returned to the House:

3/16/77

House Bill No. 89, introduced by Day (by request)

House Bill No. 176, introduced by Menahan (by request)



House Bill No. 214, introduced by Manuel

House Bill No. 315, introduced by Dassinger, Teague, O'Connell, et al

House Bill No. 420, introduced by Harper, Burnett (by request)

House Bill No. 451, introduced by Lien, Aageson, Conroy

House Bill No. 500, introduced by Driscoll (by request)

House Bill No. 570, introduced by McLane, Ramirez, Porter, et al

House Bill No. 619, introduced by South

House Joint Resolution No. 61, introduced by Mular, Quilici, Lynch, et al

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time and referred to committee:

HB 831, introduced by Moore, Fabrega, Keyser, Meyer, Roth, Nathe, Lund, Feda, Vinger, Aageson, Hurwitz, Stobie, Cox, Ellerd, Tower, Turner, Curtiss, Severson, Underdal, Davis, O'Keefe, Ellison, Lory, Ellis, Eudaily, Porter, Wyrick, Kropp, Smith, Burnett. Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time and referred to committees:

SB 239, introduced by Boylan, Manley, Bergren, Kolstad, Hager, Aber, E. Smith. Referred to Committee on Agriculture, Livestock and Irrigation.

SB 247, introduced by Dover, Dunkle, Boylan. Referred to Committee on Natural Resources.

SB 324, introduced by Dunkle, Thiessen, Galt, Manley, Stephens. Referred to Committee on Natural Resources.

SB 350, introduced by Stephens, Kolstad. Referred to Committee on Taxation.

SB 385, introduced by Thomas, Mehrens, Healy, Lee, Peterson, Aber, McCallum. Referred to Committee on Judiciary.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 357 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Burnett, Ellison.

Total 2

Excused: Tower.

Total 1

Absent or not voting: Frates, Meloy, Scully, Shelden.

Total 4

Senate Bill No. 138 was concurred in by the following vote:

Ayes: Bardanouve, Barrett, Bertelsen, Bradley, Conroy, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Harper, Hirsch, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kimble, Lory, Lund, Manuel, Meloy, Metcalf, Meyer, Moore, Nathe, O'Keefe, Palmer, Porter, Ramirez, Robbins, Seifert, Shelden, Smith, South, Staigmiller, Teague, Tropila, Vincent, Waldron, Wood, Mr. Speaker.

Total 54

Noes: Aageson, R. Baeth, W. Baeth, Bengtson, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Day, Ellison, Eudaily, Feda, Hand, Hansen, Harrington, Huennkens, Kanduch, Kropp, Kvaalen, Lien, Lynch, McLane, Marks, Menahan, Mular, O'Connell, Pistoria, Quilici, Roth, Ryan, Severson, Sivertsen, Stobie, Turner, Uhde, Underdal, Vinger, Williams, Wyrick.

Total 42

Excused: Tower.

Total 1

Absent or not voting: Halvorson, Holmes, Scully.

Total 3

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Hirsch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 389 be amended as follows:

1. Amend page 3, section 1, line 9.

Following: line 8

Strike: "educational television," (54-42)

Hirsch abstained.

And as amended, be concurred in. (82-12)

That HB 207 do pass. (89-4)

That HB 627 be passed for the day. (49-46)

That HB 699 be passed for the day.

That SB 10 be concurred in. (76-7)

That SB 24 be concurred in. (82-2)

That SB 131 be concurred in. (82-0)

That SB 132 be concurred in. (89-0)

That SB 134 be concurred in. (52-45)

That SB 142 be concurred in. (54-33)

That the committee rise and report. (Hirsch, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/17/77

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 2:30 p.m., 3/17/77 - HB 12, HB 21, HB 23, HB 27, HB 32, HB 35, HB 37, HB 74, HB 82, HB 196, HB 254, HB 275.

Will be signed by the Speaker on adjournment, 3/17/77 - HB 20, HB 39, HB 66, HB 347, HB 359, HB 361, HJR 40, HJR 48, HJR 64.

Examined by Sponsors and found to be correct - HB 20, HB 39, HB 66, HB 347, HB 359, HB 361, HJR 40, HJR 48, HJR 64.

### PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

3/17/77

SB 105, be concurred in. Report adopted.

SB 331, third reading copy, be amended as follows:

1. Amend title, line 7.

Following: "amending"

Strike: "section"

Insert: "sections"

Following: "(66-1302)"

Insert: "66-1302 and"

2. Amend page 1.

Following: line 12

Insert: "Section 1. Section 66-1302, R.C.M. 1947, is amended to read as follows:

'66-1302. Provisions regulating practice of optometry. (1) It is unlawful for a person:

(a) To practice optometry in this state unless he has first obtained a certificate of registration, and filed it or a certified copy with the county clerk and recorder of the county of his residence;

(b) To sell, barter, or offer to sell or barter a certificate of registration issued by the department;

(c) To purchase or procure by barter a certificate of registration with intent to use it as evidence of the holder's qualification to practice optometry;

(d) To materially alter, with fraudulent intent a certificate of registration;

(e) To use or attempt to use a certificate of registration which has been purchased, fraudulently issued, counterfeited, or materially altered as a valid certificate of registration;

(f) To practice optometry under a false or assumed name;



(g) To willfully make a materially false statement in an application for an examination by the department or for a certificate of registration;

(h) To advertise by displaying a sign or by otherwise holding himself out to be an optometrist without having at the time a valid certificate of registration;

(i) To replace or duplicate ophthalmic lenses with or without a prescription or to dispense ophthalmic lenses from prescriptions, without having at the time a valid certificate of registration as an optometrist; however, this subsection does not prevent an optical mechanic from doing the merely mechanical work on an ophthalmic lens which is ordered on a prescription signed by a registered optometrist (and is dispensed only by the optometrist or a person employed by the optometrist and who does so in the office of and under the direct personal supervision of an optometrist;).

(j) To take or make measurements for the purpose of fitting or adapting ophthalmic lenses to the human eye, without having at the time a valid certificate of registration. A person who takes or makes measurements or uses mechanical devices for this purpose or who in the sale of spectacles, eyeglasses, or lenses uses, in the testing of the eyes, lenses other than the lenses actually sold, is practicing optometry. However, this section does not apply to the prescriptions of qualified optometrists when sent to a recognized optical laboratory.

(k) To advertise at a price, or stated terms of a price, or as being free, the following: The examination or treatment of the eyes, furnishing of optometrical services, or furnishing a lens, lenses, contact lens, contact lenses, glasses, frames, or fitting thereof. However, this subdivision does not apply to advertising goggles, sunglasses, colored glasses, or occupational eye-protective devices, if they are not made with refractive values and are not advertised in connection with the practice of optometry or professional service.

(l) To adapt a lens to direct contiguous contact to the human eyeball without having at the time a valid certificate of registration as an optometrist.

(2) When the board has reasonable cause to believe that a person is violating this section, or a rule issued under this chapter, it may, in addition to other remedies provided in this chapter, bring an action for injunctive relief in district court in the county where the violation occurs to enjoin the person from engaging in or continuing the violation. The department may employ legal counsel to prosecute these actions. In these actions, and on notice and hearing, an order or judgment may be entered awarding a temporary restraining order or final injunction as considered proper by the judge of the district court in the county where the violation occurred. This chapter does not apply to physicians and surgeons authorized to practice under the laws of this state nor to a person employed in the office of and acting under the direct personal supervision of a physician or surgeon, nor to a person excepted from this chapter by section 66-1316."

Renumber: subsequent section

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.



SB 365, be concurred in. Report adopted.

SB 443, be concurred in. Report adopted.

# AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman)

3/17/77

SB 49, be concurred in. Report adopted.

SB 189, be concurred in. Report adopted.

SB 261, be concurred in. Report adopted.

SJR 41, be concurred in. Report adopted.

# NATURAL RESOURCES (Shelden, Chairman):

3/17/77

SB 111, third reading copy, be amended as follows:

1. Amend page 7, section 3, line 23.

Following: "owners"

Insert: "increased"

2. Amend page 7, section 3, line 24.

Following: "production"

Insert: "from such subsequent program"

And as amended, be concurred in. Report adopted.

SJR 24, be concurred in. Report adopted.

# FISH AND GAME (Staigmiller, Chairman):

3/17/77

SB 203, third reading copy, be amended as follows:

1. Amend page 2, section 1, subsection (1), line 2.

Following: "period of"

Strike: "16"

Insert: "not less than 24"

2. Amend page 2, section 1, subsection (2)(a), line 12.

Following: "for"

Strike: "24"

Insert: "not less than 30"

3. Amend page 2, section 1, subsection (2)(b), line 15.

Following: "possessing,"

Insert: "or"

Following: "transporting"

Strike: ", or wasting of"

4. Amend page 2, section 1, subsection (2)(b), line 17.

Following: "animals"

Insert: ", or wasting a deer, antelope, or elk,"

5. Amend page 2, section 1, subsection (2)(b), line 23.

Following: line 22

Strike: "16"

Insert: "not less than 24"

6. Amend page 6, section 2, line 19.

Following: "unlawful"

Strike: "— penalty"

7. Amend page 7, section 3, line 10.

Following: "26-319."

Strike: "Penalty for violating"

Insert: "Unlawful to hunt during"

And as amended, be concurred in. Report adopted.

## APPROPRIATIONS (Bardanoue, Chairman):

3/16/77

HB 511, do not pass.

HB 696, do not pass.

On motion by Meloy, and in accordance with the 24-hour rule, the adverse committee report on SB 230 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanoue, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Halvorson, Hand, Hansen, Harper, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sheldon, Sivertsen, South, Staigmiller, Teague, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Gould.

Total 1

Excused: Tower.

Total 1

Absent or not voting: Barrett, Colburn, Courtney, Day, Ellis, Gerke, Gilligan, E. Gunderson, J. Gunderson, Harrington, Holmes, Kropp, Lien, Lynch, Mular, O'Connell, O'Keefe, Palmer, Quilici, Scully, Smith, Stobie, Tropila, Vinger, Waldron.

Total 25

**MESSAGES FROM THE OTHER HOUSE**

3/17/77

Senate, on motion, requests the return of House Bill No. 743 for further consideration.

**MOTIONS**

Meloy moved that the House accede to the request of the Senate and return HB 743 to the Senate. Motion carried.

Meloy moved that HB 207 be rereferred from Engrossing to the Committee on Appropriations. Motion carried.

Meloy moved that SB 142 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., March 18, 1977.

Motion carried.

House adjourned at 5:10 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## SIXTY-THIRD LEGISLATIVE DAY

Helena, Montana  
March 18, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll Call. All members present except Burnett, Ramirez, Huennekens, Seifert, Tower, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/18/77  
Correctly enrolled - HB 24, HB 25, HB 89, HB 98, HB 176, HB 184, HB 214, HB 315, HB 420, HB 500, HB 570, HB 619, HJR 61, HJR 76.

Were signed by the Speaker on adjournment, 3/17/77 - HB 20, HB 39, HB 66, HB 203, HB 347, HB 359, HB 361, HB 626, HJR 38, HJR 40, HJR 48, HJR 64, SB 103, SB 152, SB 159, SB 184, SB 383, SJR 27.

### MESSAGES FROM THE GOVERNOR

March 18, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that I have this day approved House Bill Nos. 14, 15, 17, 18, 30, 36, 40, 94, 136, 173, 234, 240, 289, 477, 481 and 483.

Sincerely,

THOMAS L. JUDGE  
Governor

March 18, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Speaker Driscoll:

Few issues are more critical to the State of Montana than the responsible funding of state government and public services. No issue is more critical to me as chief executive than maintenance of the fiscal integrity of state government.

Politics, it is said, is the art of compromise. But this governor will not compromise this state into a general fund deficit or repudiate the overwhelming mandate of the electorate for property tax relief.

Since the beginning of this Legislative Session, when I presented to the 45th Legislature my program and budget recommendations, several unforeseen problems and opportunities for the State of Montana have become apparent. Accordingly, within the last ten days, the Governor's office has written to appropriate legislative leaders to seek funding for several matters: HB 250, the Air Pollution Study of Anaconda, Billings, Butte, and Missoula; HB 525, the Rail Revitalization Act, which would protect Montanans threatened by federally approved rail line abandonments; construction of a new facility and increased operating costs at the Montana State Prison; negotiation and legal action to determine state authority and responsibility with regard to other jurisdictions; a community based women offenders program operated by the Department of Institutions; a supplemental request by the Department of Social and Rehabilitation Services for Silver Bow County; upgrading of the Statewide Budget and Accounting Systems to include the University System.

We have identified funding sources or rearranged administration priorities to accommodate these programs. Approval by the Legislature of the proposals submitted by this office will not interfere with enactment of a state budget for fiscal years 1978 - 1979 which attains the basic goals set forth in my State of the State Address and the Executive Budget.

We can and must provide high quality public services without increasing the tax burden on our citizens. We can and must maintain the excellent fiscal record of the past several years, when professional management of the state's financial resources enabled us to increase to unprecedented levels support for state programs, while maintaining the largest general fund surplus in state history. We can and must stop the growth of state government and reduce the actual number of state employees. We can and must provide meaningful tax relief to our citizens.

On November 2, 1976, 70 per cent of the Montana electorate — 204,532 men and women — voted for the Homestead Tax Relief Act. This initiative was approved in all 56 counties of the state. Until repealed by an act of the people or of the Legislature, it remains the law in Montana and requires a permanent state-funded reduction in property taxes for homeowners.

After submitting property tax relief measures to the last two legislatures only to see them defeated each time by solid Republican opposition combining with some Democrats, I proposed the Homestead Tax Relief Act. I saw no other way to reduce the burden of this regressive tax on our people.

While Montana ranks 40th among the 50 states in all state taxes collected per capita, we rank 6th in the amount of property taxes levied per capita on our citizens. Local governments in this state depend almost totally on the property tax for their revenues. And, in fact, Montana local governments depend on the property tax far more heavily than their counterparts in other states. Although state government receives less than 5 per cent of its revenues from this source, the state does have the responsibility to insure that ability-to-pay is maintained as the prevailing principle of equitable taxation among all political jurisdictions within its boundaries.

Some argue, at this late date, that property tax relief is unfair. I disagree strongly, as I always have, with this statement. Why are residential property owners held disproportionately responsible for support of our school systems and local governments? All citizens, whether or not they own property, benefit directly or indirectly from these services. Does not



our society owe a debt to the many senior citizens who will leave to us as their legacy nothing less than the very state they have built? Many of them are being driven from their homes by property tax bills which climb far out of reach of their fixed retirement incomes.

Failure to act to correct these inequities is, to me, indefensible.

The appropriate action by anyone who considers property tax relief unfair would be to work for repeal of the act approved by the people in November. I would, of course, veto any such repealer if it were passed by the Legislature.

Others have criticized the Homestead Tax Relief Act by saying that it is "the Governor's Initiative" and that the people would always vote for programs that would cut government or save tax money. I would like to remind these persons that passage of the act was accomplished by thousands of Montanans who circulated petitions and the 204,532 Montanans who approved it on November 2. By rejecting the proposed budget ceiling on state spending while approving overwhelmingly the property tax relief measure, the people demonstrated their ability to discriminate carefully and make informed choices.

Pending before the Legislature are proposals offered by individual members for expenditures and revenue reductions that would exceed the spending levels suggested in the Executive Budget by over \$173 million. Acceptance of these measures would cause a deficit of over \$160 million in the next biennium. The existence of these proposals is placing enormous pressure on the Legislature which must give serious and impartial consideration to 1,274 bills within the excruciatingly brief period of 90 days. Under these circumstances, some members apparently have been led to believe that the state cannot afford to fund the Homestead Tax Relief Act for the next two years.

That, simply, is not true. When I proposed the Homestead Tax Relief Act, I carefully examined revenue projections and the size of the general fund surplus to determine whether the state could maintain its current level of public services while paying for the tax relief on a permanent basis. According to our best information, the act will be financed, without a tax increase, for as long as we can accurately project revenue—which encompasses the next four years.

I would not hesitate to veto any spending measure which would reduce revenues available to fund the Homestead Tax Relief Act through both years of the coming biennium. I will not stand by and passively allow a \$30 million expansion of state government bureaucracy while our property owners continue to stagger under the weight of spiralling property tax bills. I promised the people of Montana last fall that I would not preside over the unnecessary growth of government and that I would not sign into law any tax increases. I intend to keep my word.

An area receiving widespread attention is the controversy surrounding funding of the school foundation program.

Shifting conditions and the changing needs of our people require that in particular times state government concentrate priority attention on different programs. Yet for many years, the largest single expenditure area and, therefore, one of the chief concerns of state government is education. And properly so.

During the first four years of this administration, per student expenditures on elementary education through the foundation program increased by 78 per cent. Although this level far exceeded the rate of inflation for

those years, we made these unprecedented outlays for two reasons: 1. To compensate for historically inadequate teacher salaries and generally inadequate state funding for education; and 2. To reduce the need for increased property taxes in the school district.

In the first instance, I believe we succeeded as intended. In the last 12 years the kindergarten, elementary, junior high school and secondary school teachers have had their salaries doubled. The salaries of guidance and counseling personnel, elementary and secondary school principals, and the district superintendents also have been more than doubled. In all of these cases professionals occupying these positions have been their buying power increased—some of them far exceeding the rate of inflation.

It is time, I believe, for state government to act to hold down the costs of government at all levels. With inflation rates projected by the United States Congress to be 4.8 per cent each year over the next biennium, I proposed to this Legislature that the school foundation program be increased by 6 per cent each year through 1979 and fully funded. The dramatically increased state support to elementary and secondary education of the last several years did not result in as much property tax relief to our citizens as we had hoped. Therefore, through funding of the Homestead Tax Relief Act and provision of \$31.8 million in direct appropriations for the permissive levy, this administration proposes to provide direct property tax relief to our citizens.

Some have suggested that per student state support to the public schools be increased by 9.4 or 10 per cent each year at the cost of sacrificing direct property tax relief. These proposals have been made in face of the well-known congressional projection for a 4.8 per cent inflation rate over the next two years.

I disagree strongly with these recommendations. I commend the House Democratic caucus for its responsible position of supporting a 6.3 per cent annual increase in the Foundation program schedules. We must hold down the costs of government and carry to our property taxpayers critically and long-needed relief. At the same time we must protect the right of the people to control their own school district spending levels.

I will veto any attempt to increase the school foundation program beyond 6.3 per cent each year. I would do this even though such an action may necessitate a special session of the Legislature.

I continue to maintain full confidence in our ability to provide adequate service levels for our citizens, to provide full funding of the property tax relief law enacted directly by the people in November, to maintain a \$12.5 million surplus as a cushion against unforeseen fluctuations in the economy, to secure a reduction in the number of state employees and to insure no tax increases. I will, as I have indicated in the State of the State message and this letter, resist with the full constitutional power of this office legislative actions which counteract attainment of those goals. I remain

Respectfully,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolutions concurred in by the Senate  
and returned to the House:

3/17/77

House Bill No. 34, introduced by Bardanouve

House Bill No. 42, introduced by Kvaalen

House Bill No. 47, introduced by Bradley

House Bill No. 57, introduced by Marks

House Bill No. 288, introduced by Quilici, Menahan, et al

House Bill No. 328, introduced by Menahan (by request)

House Bill No. 331, introduced by Burnett, McLane (by request)

House Bill No. 362, introduced by Pistoria

House Bill No. 636, introduced by Day, Dassinger, et al

House Joint Resolution No. 14, introduced by South

House Joint Resolution No. 18, introduced by Bradley, Fagg, et al

House Joint Resolution No. 55, introduced by Vincent, Quilici, et al

House Joint Resolution No. 67, introduced by Lien, Sivertsen

Bills concurred in as amended by the Senate,  
and returned to the House for concurrence  
in Senate Amendments:

3/17/77

House Bill No. 46, introduced by Kvaalen

House Bill No. 113, introduced by Ellis, Bertelsen, Lynch, et al

House Bill No. 126, introduced by Eudaily, Ellis, et al

House Bill No. 339, introduced by Ellison, R. Baeth

House Bill No. 379, introduced by Teague, Dassinger, Kenny, et al

House Bill No. 656, introduced by Wood, Day, Bengtson, et al

House Amendments to the following Senate Bills  
concurred in by the Senate:

3/17/77

Senate Bill No. 22, introduced by Watt

Senate Bill No. 405, introduced by Mehrens

Bill passed by the Senate and transmitted  
to the House for concurrence:

3/17/77

Senate Bill No. 431, introduced by Jergeson, Stephens, Graham

3/18/77

Senate, on March 15, 1977, failed to concur in House Amendments to Senate Bill No. 26, and the President appointed the following members to a Free Conference Committee to confer with a like committee from the House:

Senator Graham, Chairman  
Senator Etchart  
Senator Flynn

3/18/77

Senate, on March 15, 1977, failed to concur in House Amendments to Senate Joint Resolution No. 3, and the President appointed the following members to a Free Conference Committee to confer with a like committee from the House:



Senator Lowe, Chairman  
 Senator Lensink  
 Senator Bergren

### MOTIONS

Cooney moved that the rules be temporarily suspended for the purpose of introducing a resolution for statewide support for the MHD project. Motion carried.

Moore moved that SB 101 be passed for the day. Motion carried.

Marks moved that SB 393 be passed for the day. Motion carried.

Dussault moved that HB 3 be passed to the 70th Legislative Day. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on SB 26. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on SJR 3. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolutions were introduced, read first time and referred to committees:

HJR 91, introduced by Ellerd. Referred to Committee on Agriculture, Livestock and Irrigation.

HJR 92, introduced by Gould, Roth, Cox, Ellis, Lory, Barrett, Smith, Fagg, Ramirez, McLane, Ellison, Fedas, Vinger, Keyser, Fabrega, Harper, E. Gunderson, Ernst, Bertelsen, Palmer, Burnett, Eudaily, Turner, Day, R. Baeth, Cooney, Robbins, Conroy, Frates, Holmes, Menahan, Kanduch, Quilici, Ryan, Kenny, Curtiss, Davis, Bengtson, Teague, Seifert, Hand, Pistoria, O'Connell, J. Gunderson, Vincent, Staigmiller, Metcalf, Dussault, Manuel, W. Baeth, Harrington, Lien, Hansen, Kennerly, Moore, Kropp, Johnston, Wyrick, Meloy, Nathe, Marks. Referred to Committee on Public Health, Welfare and Safety.

HJR 93, introduced by Kimble, Meloy, Halvorson. Referred to Committee on Judiciary.

The following Senate bill was introduced, read first time and referred to committee:

SB 431, introduced by Jergeson, Stephens, Graham. Referred to Committee on Taxation.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 10 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch,



Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Burnett, Huennekens, Ramirez, Seifert, Tower.

Total 5

Absent or not voting: Kennerly, Kenny, Scully, South.

Total 4

Senate Bill No. 17 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Burnett, Huennekens, Ramirez, Seifert, Tower.

Total 5

Absent or not voting: Halvorson, Kennerly, Kenny, South.

Total 4

Senate Bill No. 24 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Dussault, Estenson, Feda, McLane, Nathe, Vinger.

Total 6

Excused: Burnett, Huennekens, Ramirez, Seifert, Tower.

Total 5

Absent or not voting: Kennerly, South, Waldron.

Total 3

Senate Bill No. 83 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Burnett, Huennekens, Ramirez, Seifert, Tower.

Total 5

Absent or not voting: Kennerly, South.

Total 2

Senate Bill No. 134 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Brand, Colburn, Conroy, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Fedá, Gould, Halvorson, Hand, Hansen, Jensen, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Shelden, Sivertsen, Staigmiller, Stobie, Turner, Underdal, Vinger, Wood, Wyrick.

Total 47

Noes: Bertelsen, Bradley, Cooney, Courtney, Cox, Dussault, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Harper, Harrington, Hirsch, Holmes, Hurwitz, Kessler, Kimble, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Severson, Smith, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 45

Excused: Burnett, Huennekens, Ramirez, Seifert, Tower.

Total 5

Absent or not voting: Kennerly, Kenny, South.

Total 3

Senate Bill No. 300 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully,

Shelden, Sivertsen, Smith, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Moore, Stobie, Vinger.

Total 3

Excused: Burnett, Huennekens, Ramirez, Seifert, Tower.

Total 5

Absent or not voting: Hand, Kenny, Marks, Severson, South.

Total 5

Senate Bill No. 358 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Staigmiller, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: McLane, Smith, Stobie.

Total 3

Excused: Burnett, Huennekens, Ramirez, Seifert, Tower.

Total 5

Absent or not voting: Kenny, South, Teague.

Total 3

Senate Joint Resolution No. 14 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Burnett, Huennekens, Ramirez, Seifert, Tower.

Total 5

Absent or not voting: Gerke, Kenny, Lynch, South, Teague.

Total 5

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Jensen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 627 be passed for the day.

That HB 699 do not pass. (58-42)

Ramirez present at this time.

That SB 49 be concurred in. (84-0)

That SB 105 be concurred in. (84-2)

That SB 111 be concurred in. (86-1)

That SB 149 be passed for the day.

That the committee rise and report. (Jensen, Chairman) Report adopted.

**REPORTS OF STANDING COMMITTEES**

Examined by Sponsors and found to be correct - HB 24, HB 25, HB 33, HB 89, HB 98, HB 176, HB 184, HB 214, HB 315, HB 420, HB 500, HB 619, HJR 61, HJR 76.

Will be signed by the Speaker on adjournment, 3/18/77- HB 24, HB 25, HB 33, HB 89, HB 98, HB 176, HB 184, HB 214, HB 315, HB 420, HB 500, HB 619, HJR 61, HJR 76, SB 98, SB 184, SB 190, SB 339.

**MOTIONS**

Meloy moved that the House accede to the Senate's request for the return of HB 308 for further consideration by the Senate. Motion carried.

Sivertsen moved that the House reconsider the amendments that failed to pass Second Reading yesterday on HB 627. Motion carried.

Meloy moved that the House adjourn until 9:00 a.m., March 19, 1977.

Motion carried.

House adjourned at 3:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SIXTY-FOURTH LEGISLATIVE DAY

Helena, Montana  
March 19, 1977

House Chambers  
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll Call. All members present except Burnett, Colburn, Estenson, Fagg, Gilligan, Huennekens, Kennerly, Palmer, Ryan, Seifert, Teague, Tower, Waldron, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on Senate Bill 26: Day, Chairman; Nathe and Scully.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/19/77  
Considered correctly engrossed - HB 207.

Were signed by the Speaker on adjournment, 3/18/77 - HB 24, HB 25, HB 33, HB 89, HB 98, HB 176, HB 184, HB 214, HB 315, HB 420, HB 500, HB 619, HJR 61, HJR 76, SB 98, SB 190, SB 339.

STATE ADMINISTRATION (Brand, Chairman): 3/18/77  
SB 122, be not concurred in.  
SB 403, be concurred in. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL  
(Quilici, Chairman): 3/19/77

Recommend that the following be terminated at the close of business March 5, 1977:

Donna McDuffie .....Committee Secretary

At the close of business March 15, 1977, the following also be terminated:

Jennifer Jones .....Researcher

Report adopted.

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 511 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Dussault, Ellis, Ellison, Ernst, Fabrega, Fedra, Frates, Gerke, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Shelden, Sivertsen, Smith,

Staigmillar, Stobie, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 72

Noes: Johnston, Mular, Tropila, Uhde.

Total 4

Excused: Burnett, Colburn, Estenson, Fagg, Gilligan, Huennekens, Kennerly, Palmer, Ryan, Seifert, Teague, Tower, Waldron.

Total 13

Absent or not voting: Brand, Dassinger, Day, Ellerd, Eudaily, Gould, Kimble, Lien, Scully, Severson, South.

Total 11

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 696 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellis, Ellison, Ernst, Fabrega, Feda, Frates, Gerke, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Sivertsen, Smith, South, Staigmillar, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Bertelsen, Brand, Harper, Mular, Nathe, Tropila.

Total 6

Excused: Burnett, Colburn, Estenson, Fagg, Gilligan, Huennekens, Kennerly, Palmer, Ryan, Seifert, Teague, Tower, Waldron.

Total 13

Absent or not voting: Dassinger, Ellerd, Eudaily, Gould, Kimble, Scully, Severson, Shelden.

Total 8

### MOTIONS

Meloy moved that consideration of HB 627 be passed for the day. Motion carried.

Meloy moved that consideration of SB 160 be passed for the day. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 49 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore,

Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: None.

Total 0

Excused: Burnett, Colburn, Estenson, Fagg, Gilligan, Huennekens, Kennerly, Palmer, Ryan, Seifert, Teague, Tower, Waldron.

Total 13

Absent or not voting: Dassinger, Kimble.

Total 2

Senate Bill No. 58 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Brand.

Total 1

Excused: Burnett, Colburn, Estenson, Fagg, Gilligan, Huennekens, Kennerly, Palmer, Ryan, Seifert, Teague, Tower, Waldron.

Total 13

Absent or not voting: Dassinger, Kimble.

Total 2

Senate Bill No. 105 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Brand, Roth, Smith.

Total 3

Excused: Burnett, Colburn, Estenson, Fagg, Gilligan, Huennekens, Kennerly, Palmer, Ryan, Seifert, Teague, Tower, Waldron.

Total 13

Absent or not voting: Kimble.

Total 1

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 101 be placed below SB 203.

That SB 393 be concurred in. (73-5)

Kimble present at this time.

That SB 149 be concurred in. (77-9)

That SB 178 be concurred in. (74-5)

That SB 187 be concurred in. (77-2)

That SB 188 be concurred in. (61-18)

Estenson present at this time.

That SB 189 be not concurred in. (51-39)

That SB 203 be concurred in. (77-3)

That SB 101 be amended as follows:

1. Amend title, line 6.

Following: "by"

Strike: "legislators"

Insert: "the administrative code committee"

2. Amend page 1, section 1, line 18.

Following: "Section 1."

Strike: "legislator's"

3. Amend page 1, section 1, line 19.

Following: "by"

Strike: "agencies"

Insert: "an agency"

4. Amend page 1, section 1, line 22.

Following: "if"

Strike: "any fifteen legislators"

Insert: "the administrative code committee of the legislature"

5. Amend page 1, section 1, line 23.

Following: "session"

Strike: "object"

Insert: "objects"

6. Amend page 1, section 1, line 24.

Following: "forth"

Insert: "specific"

Following: "for"



Strike: "their"

Insert: "its"

7. Amend page 1, section 1, line 25.

Following: "legislature"

Insert: ", the secretary of state," (49-36)

And be further amended:

8. Amend page 2.

Following: line 18

Insert: "Section 3. Grounds for objections. Objections by the administrative code committee shall be limited to failure of the rule to comply with legislative intent or failure of the agency to comply with the provisions of the Montana Administrative Procedure Act in adopting the rule."

Renumber: subsequent sections

9. Amend page 2, section 3, line 22.

Following: "filed"

Insert: "by the administrative rules committee"

10. Amend page 3, section 3, line 6.

Following: "authority"

Strike: "and"

Insert: ", "

11. Amend page 3, section 4, line 7.

Following: "delegations"

Insert: ", and to convey any objections to the administrative code committee" (75-6)

And as amended, be concurred in. (71-11)

That SB 207 be concurred in. (77-3)

That SB 219 be concurred in. (81-0)

That SB 223 be concurred in. (74-4)

That SB 228 be concurred in. (78-0)

That SB 254 be concurred in. (76-0)

That SB 258 be concurred in. (74-3)

That SB 261 be concurred in. (74-3)

That SB 270 be concurred in. (73-1)

That SB 277 be concurred in. (76-2)

That SB 283 be concurred in. (72-1)

That SB 287 be concurred in. (75-1)

That SB 290 be concurred in. (77-0)

Marks replaced Moore in the Chair.

That SB 316 be concurred in. (81-0)

Moore resumed Chair.

That SB 326 be concurred in. (79-1)

That SB 327 be concurred in. (75-1)

That SB 331 be concurred in. (78-1)

That SB 365 be placed below SB 396.

That SB 373 be concurred in. (74-2)

That SB 395 be concurred in. (76-1)

That SB 396 be concurred in. (76-1)

That SB 365 be passed for the day.

That SB 420 be concurred in. (80-0)

That SB 421 be placed at the bottom of the board.

That SB 429 be concurred in. (82-0)

That SB 443 be concurred in. (77-1)

That SJR 16 be passed for the day.

That SJR 20 be concurred in. (73-2)

That SJR 24 be concurred in. (81-0)

That SJR 35 be placed below the conference committee report on HB 581.

That SJR 41 be concurred in. (73-3)

That SA to HJR 68 be not concurred in. (73-3)

That SA to HB 41 be not concurred in. (71-7)

That SA to HB 46 be not concurred in. (75-0)

That SA to HB 62 be concurred in. (72-4)

That SA to HB 113 be placed at the bottom of the board.

That SA to HB 126 be not concurred in. (71-2)

That SA to HB 339 be passed to the bottom of the board.

That SA to HB 379 be passed for the day.

That SA to HB 430 be concurred in. (71-4)

That SA to HB 535 be concurred in. (78-0)

That SA to HB 591 be concurred in. (72-0)

That SA to HB 656 be concurred in. (74-0)

That Conference Committee Report on HB 581 be adopted. (74-2)

That SB 421 be concurred in. (73-4)

That SJR 35 be passed for the day.

That SA to HB 113 be concurred in. (73-4)

That SA to HB 339 be concurred in. (71-3)

That the committee rise and report. (Moore, Chairman)

Wood moved that Senate Amendments to HB 113 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

**REPORTS OF STANDING COMMITTEES****LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL**

(Quilici, Chairman): 3/19/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business March 19, 1977.

Hal Fossum.....Permanent Page,  
Minority Leader's Office

At the close of business March 19, 1977, the following also be terminated:

Donald Molitor .....Permanent Page,  
Minority Leader's Office

Report adopted.

**BILLS (Quilici, Chairman):** 3/19/77

Correctly printed - HB 735.

Correctly enrolled - HB 47, HB 331, HB 451, HB 636, HJR 55.

Will be signed by the Speaker on adjournment, 3/19/77 - HB 47, HB 451, HB 636, HB 570, HJR 55, SB 6, SB 171, SB 274, SB 377.

Examined by Sponsors and found to be correct - HB 47, HB 451, HB 570, HB 636, HJR 55.

**STATE ADMINISTRATION (Brand, Chairman):** 3/18/77  
SB 238, third reading bill, be amended as follows:

1. Amend page 2, section 2, line 23.

Following: "title"

Strike: ", section 1 of this act,"

And as amended, be concurred in. Report adopted.

**REPORTS OF SELECT COMMITTEES**

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on SJR 3: R. Baeth, Chairman; Staigmiller and Barrett.

**MESSAGES FROM THE OTHER HOUSE**

Bills and resolutions concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments: 3/18/77

House Bill No. 4, introduced by Huennekens, Vincent, Lory

House Bill No. 43, introduced by Kvaalen

House Bill No. 301, introduced by Ellerd, Davis, Turner, et al

House Bill No. 352, introduced by Scully

House Bill No. 384, introduced by Uhde, Dussault

House Bill No. 476, introduced by Huennekens

House Bill No. 759, introduced by Montana Water Subcommittee; Day, Chairman

House Joint Resolution No. 21, introduced by Fabrega, Moore, O'Connell, et al

- Bill on Committee Report, not concurred in  
by the Senate, report adopted,  
and returned to the House: 3/18/77
- House Bill No. 155, introduced by Driscoll (by request)
- Bills on Committee of the Whole in the Senate  
recommended that further action be indefinitely  
postponed, reports adopted, and returned  
to the House: 3/18/77
- House Bill No. 219, introduced by Conroy
- House Bill No. 802, introduced by Labor Committee
- Bill passed by the Senate and transmitted to the House  
for concurrence: 3/18/77
- Senate Bill No. 31, introduced by Watt
- Bills and resolutions concurred in by the Senate  
and returned to the House: 3/18/77
- House Bill No. 97, introduced by Hirsch (by request)
- House Bill No. 244, introduced by Kimble (by request)
- House Bill No. 256, introduced by Quilici, Menahan, et al (by request)
- House Bill No. 323, introduced by Harrington, Lynch, Courtney
- House Bill No. 376, introduced by Brand, Cooney, Moore, et al
- House Bill No. 395, introduced by Quilici, Vincent, Meloy
- House Bill No. 396, introduced by Quilici, Vincent, Fabrega
- House Bill No. 417, introduced by Lynch (by request)
- House Bill No. 418, introduced by Lynch (by request)
- House Bill No. 436, introduced by Courtney, Lynch, Uhde, et al
- House Bill No. 586, introduced by Estenson (by request)
- House Joint Resolution No. 22, introduced by Day (by request)

### MOTIONS

Meloy moved that the Speaker be authorized to appoint joint conference committees of three to meet with like committees from the Senate to consider the Senate Amendments to the following resolution and bills: HJR 68, HB 41, and HB 126. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to consider HB 46. Motion carried.

Kvaalen moved that the House reconsider its action yesterday in failing to pass HB 699 on Second Reading. Motion carried.

Meloy moved that SB 188 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

Meloy moved that HB 699 be rereferred from Second Reading to the Committee on Education. Motion carried.



**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time and referred to committee:

HB 832, introduced by Kessler, Palmer, Cooney. Referred to Committee on Appropriations.

The following Senate bill was introduced, read first time and referred to committee:

SB 31, introduced by Watt. Referred to Committee on Taxation.

Meloy moved that the House adjourn until 1:30 p.m., March 21, 1977.

Motion carried.

House adjourned at 1:15 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SIXTY-FIFTH LEGISLATIVE DAY

Helena, Montana  
March 21, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll Call. All members present except Palmer, Teague, Tower, excused. Quorum present.

Mr. Speaker: We your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 41: Tropila, Chairman; Marks and Lynch. Motion carried.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on HB 46: Halvorson, Chairman; Gilligan and Kvaalen. Motion carried.

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 126: Conroy, Chairman; R. Baeth and Eudaily. Motion carried.

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HJR 68: Staigmiller, Chairman; Waldron and Ellis. Motion carried.

March 17, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Driscoll:

The following Pages will be employed in the House of Representatives for the week of March 21st through March 26th, 1977:

Merle W. Big Head	Ashland
Lyndon Conroy	Hardin
Molly Conroy	Hardin
Marcia K. Kuehn	Terry
Todd M. Larson	Jordan
Johnna M. Marinkovich	Anaconda
Norie S. Quinn	Butte
Rebecca S. Thoft	Stevensville

The following Page will be working from March 23rd through March 29th, 1977:

Michael O'Keefe	Great Falls
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The following Page will be working from March 24th through March 30th, 1977:

Lance Newman	Helena
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Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman)

3/21/77

Correctly enrolled - HB 57, HB 288, HB 328, HB 362, HJR 14, HJR 67.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 12:00 p.m., 3/21/1977 - HB 20, HB 24, HB 25, HB 33, HB 39, HB 47, HB 66, HB 89, HB 98, HB 176, HB 184, HB 203, HB 214, HB 315, HB 347, HB 359, HB 361, HB 420, HB 451, HB 500, HB 570, HB 619, HB 626, HB 636.

Will be signed by the Speaker on adjournment, 3/21/77 - SB 16, SB 42, SB 64, SB 70, SB 78, SB 113, SB 140, HB 57, HB 288, HB 328, HB 331, HB 362, HJR 14, HJR 67.

Were signed by the Speaker on adjournment, 3/19/77 - HB 47, HB 451, HB 570, HB 636, HJR 55, SB 6, SB 171, SB 274, SB 377.

Examined by Sponsors and found to be correct - HB 57, HB 288, HB 328, HB 331, HB 362, HJR 14, HJR 67.

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

3/21/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business March 21, 1977:

Merle Big Head.....	Page
Lynden Conroy.....	Page
Molly Conroy.....	Page
Todd Melvin Larson.....	Page
Marcia Kuehn.....	Page
Johnna Marinkovich .....	Page
Norie S. Quinn .....	Page
Rebecca Thoft.....	Page

At the beginning of business March 23, 1977, the following also be employed:

Michael S. O'Keefe .....	Page
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At the beginning of business March 24, 1977, the following also be employed:

Lance Newman .....	Page
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At the close of business March 19, 1977, the following also be terminated:

Ronnie D. Burrows .....	Page
Russ Fagg.....	Page
Joan Haubrick .....	Page
Richard A. Hunt .....	Page
Gregory J. Jellison.....	Page
Jeffrey Leader.....	Page
Patrick Menahan.....	Page
Leah O'Brien.....	Page



Theresa Quilici .....Page  
 Jenny Pettit .....Page

At the close of business March 22, 1977, the following also be terminated:

Raymond P. Mulcahy .....Page

At the close of business March 23, 1977, the following also be terminated:

Becky G. Meyer.....Page

Report adopted.

On motion by Brand, and in accordance with the 24-hour rule, the adverse committee report on SB 122 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Colburn, Conroy, Courtney, Cox, Day, Dussault, Ellerd, Ellis, Ernst, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Menahan, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Tropila, Turner, Vincent, Vinger, Waldron, Wyrick, Mr. Speaker.  
 Total 71

Noes: Barrett, Burnett, Cooney, Curtiss, Davis, Ellison, Estenson, Eudaily, Fabrega, Keyser, McLane, Marks, Metcalf, Nathe, Smith, Uhde, Underdal, Wood.  
 Total 18

Excused: Palmer, Teague, Tower.  
 Total 3

Absent or not voting: Bradley, Dassinger, Holmes, Huennekens, Meloy, Quilici, Scully, Williams.  
 Total 8

## MESSAGES FROM THE GOVERNOR

March 19, 1977

The Honorable John Driscoll  
 Speaker of the House of Representatives  
 State Capitol  
 Helena, Montana 59601

Dear Sir:

This is to inform you that I have this date approved House Bill Nos. 13, 72, 206, 276, 290, 319 and 459.

Sincerely,

THOMAS L. JUDGE  
 Governor

March 19, 1977

The Honorable Gordon McOmber  
 President of the Senate  
 State Capitol  
 Helena, Montana 59601

Dear Mr. President:

This is to inform you that I have this date approved Senate Bill Nos. 13, 45 and 104.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Conference Committee Report on House Bill No. 581, adopted on roll call vote. 3/19/77

Bills and resolutions concurred in by the Senate and returned to the House: 3/19/77

House Bill No. 19, introduced by Marks

House Bill No. 99, introduced by Hirsch (by request)

House Bill No. 230, introduced by Gerke, Fabrega

House Joint Resolution No. 29, introduced by Harper, O'Keefe, Holmes, et al

House Joint Resolution No. 58, introduced by Curtiss, Ellerd, et al

House Joint Resolution No. 80, introduced by Mular, Scully

House Joint Resolution No. 82, introduced by Committee on Fish and Game

House Amendments to the following Senate Bills concurred in by the Senate: 3/19/77

Senate Bill No. 40, introduced by Towe, Turnage

Senate Bill No. 73, introduced by Regan (by request)

Senate Bill No. 89, introduced by Dover, Story, Jergeson, Graham

Senate Bill No. 144, introduced by Watt, Warden, Dover

Senate Bill No. 269, introduced by Blaylock (by request)

Senate Bill No. 349, introduced by Murray

Senate Bill No. 361, introduced by Devine (by request)

Senate Bill No. 415, introduced by Roberts

Bills concurred in as amended by the Senate and returned to the House for concurrence in Senate Amendments: 3/19/77

House Bill No. 685, introduced by Fagg, Ramirez

House Bill No. 757, introduced by Lien, Smith (Taxation Committee)

### MOTIONS

Lien moved that the House reconsider its action in failing to pass SB 189 on the 64th Legislative Day and that it be recalled from the Senate.

Moore moved the previous question. Moore's motion failed. Thereupon Lien's motion carried. (50-48)

Porter moved that SB 365 be passed for the day. Motion carried.

Fabrega moved that HB 398 be passed to the 71st Legislative Day. Motion carried.

Barrett moved that SJR 25 be passed to the 71st Legislative Day. Motion carried.

Sivertsen moved that HB 627 be placed below SB 403 on the Second Reading board today. Motion carried.

Lien moved that SB 238 be passed to the 67th Legislative Day. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 111 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 95

Noes: None.

Total 0

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Harrington, Scully.

Total 2

Senate Bill No. 131 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 95

Noes: None.

Total 0

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Dassinger, Harrington.

Total 2

Senate Bill No. 132 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Kennerly, Moore.

Total 2

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: None.

Total 0

Senate Bill No. 149 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, Hand, Hansen, Harper, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Bradley, Dussault, Estenson, Frates, J. Gunderson, Halvorson, Holmes, Huennekens, Lory, Uhde, Waldron.

Total 11

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: E. Gunderson.

Total 1

Senate Bill No. 178 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan,



Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 96

Noes: None.  
Total 0

Excused: Palmer, Teague, Tower.  
Total 3

Absent or not voting: Hirsch.  
Total 1

Senate Bill No. 187 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 96

Noes: None.  
Total 0

Excused: Palmer, Teague, Tower.  
Total 3

Absent or not voting: South.  
Total 1

Senate Bill No. 207 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 96

Noes: Brand.

Total 1

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: None.

Total 0

Senate Bill No. 219 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Fagg, South.

Total 2

Senate Bill No. 228 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Colburn, Ryan, Smith.

Total 3

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Roth.

Total 1

Senate Bill No. 254 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson,

Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Dussault, Hand, Holmes.

Total 3

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: None.

Total 0

Senate Bill No. 258 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 94

Noes: Burnett, J. Gunderson, Wood.

Total 3

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: None.

Total 0

Senate Bill No. 261 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88



Noes: Burnett, Hansen, Jensen, Keyser, Nathe.

Total 5

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Hand, Smith, Underdal, Wood.

Total 4

Senate Bill No. 270 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Wood.

Total 1

Senate Bill No. 277 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 93

Noes: Harper, Manuel, Roth.

Total 3

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Wood.

Total 1

Senate Bill No. 283 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen,



Bradley, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wyrick, Mr. Speaker.

Total 84

Noes: Aageson, Brand, Colburn, Cox, Estenson, Jensen, Nathe, Ryan, Seifert, Smith, Vinger, Waldron.

Total 12

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Wood.

Total 1

Senate Bill No. 287 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Sivertsen, South, Tropila, Turner, Uhde, Vincent, Williams, Wood, Wyrick.

Total 71

Noes: Brand, Colburn, Cooney, Ernst, Estenson, Fedá, Frates, E. Gunderson, Hirsch, Huennekens, Keyser, Lund, Porter, Roth, Seifert, Smith, Staigmillar, Stobie, Underdal, Vinger, Waldron, Mr. Speaker.

Total 22

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Courtney, Cox, Meyer, Shelden.

Total 4

Senate Bill No. 290 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Nathe, Roth.

Total 2

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: None.

Total 0

Senate Bill No. 316 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: None.

Total 0

Senate Bill No. 326 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillar, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 87

Noes: Brand, Cox, E. Gunderson, Lund, Nathe, Ryan, Smith.

Total 7

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Harper, Stobie, Wyrick.

Total 3

Senate Bill No. 327 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley,

Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Brand, Burnett, Hand, Hansen, Kenny, Ryan, Seifert, Smith, Stobie, Vinger.

Total 10

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Bardanouve, Harper, Marks.

Total 3

Senate Bill No. 373 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harrington, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 88

Noes: Estenson, Feda, Hansen, Hirsch, Hurwitz, Keyser, Roth, Mr. Speaker.

Total 8

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Harper.

Total 1

Senate Bill No. 389 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 85



Noes: Barrett, Day, Dussault, Estenson, Huennekens, Johnston, Kanduch, Kenny, Smith, Stobie, Mr. Speaker.

Total 11

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Bertelsen.

Total 1

Senate Bill No. 393 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillar, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 81

Noes: Burnett, Cox, Hand, Hansen, Hurwitz, Kenny, Kessler, Kvaalen, Marks, Ryan, Smith, Stobie, Tropila, Wood, Wyrick.

Total 15

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Ellison.

Total 1

Senate Bill No. 395 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Hurwitz, Jensen.

Total 2

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: None.

Total 0

Abstained: Keyser, conflict of interest.

Total 1.



Senate Bill No. 396 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 94

Noes: Ryan.

Total 1

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: O'Keefe, Wood.

Total 2

Senate Bill No. 420 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 94

Noes: Ellison, Feda, Vinger.

Total 3

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: None.

Total 0

Senate Bill No. 429 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner,

Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 96

Noes: Brand.  
Total 1

Excused: Palmer, Teague, Tower.  
Total 3

Absent or not voting: None.  
Total 0

Senate Bill No. 443 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 91

Noes: Estenson, Roth, Smith, Stobie, Vinger, Wood.  
Total 6

Excused: Palmer, Teague, Tower.  
Total 3

Absent or not voting: None.  
Total 0

Senate Joint Resolution No. 20 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 93

Noes: Kenny, Smith.  
Total 2

Excused: Palmer, Teague, Tower.  
Total 3

Absent or not voting: Bardanouve, Waldron.  
Total 2

Senate Joint Resolution No. 24 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Fagg.

Total 1

Senate Joint Resolution No. 41 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Courtney, Waldron.

Total 2

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Bardanouve, Huennekens.

Total 2

Senate Amendments to House Bill No. 62 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood.



Total 84

Noes: Brand, Colburn, Courtney, Estenson, Jensen, O'Connell, Tropila, Mr. Speaker.

Total 8

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Frates, E. Gunderson, Ramirez, Severson, Wyrick.

Total 5

Senate Amendments to House Bill No. 339 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmillier, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Frates, Moore, Smith, Stobie, Turner, Uhde.

Total 6

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Feda, Holmes, Kimble.

Total 3

Senate Amendments to House Bill No. 430 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Pistoria, Porter, Quilici, Robbins, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmillier, Stobie, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Kenny, O'Connell, Roth, Ryan, Smith, Uhde.

Total 6

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Johnston, Kimble, Ramirez.

Total 3



Senate Amendments to House Bill No. 535 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Kimble.

Total 1

Senate Amendments to House Bill No. 591 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Holmes, Kimble.

Total 2

Senate Amendments to House Bill No. 656 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston,

Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Kimble.

Total 1

Conference Committee Report on House Bill No. 581 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Brand, Burnett, Fagg, E. Gunderson, McLane, Moore, Ramirez, Smith, Uhde.

Total 9

Excused: Palmer, Teague, Tower.

Total 3

Absent or not voting: Porter.

Total 1

## REPORTS OF STANDING COMMITTEES

BUSINESS AND INDUSTRY (Vincent, Chairman):

3/21/77

SB 231, be concurred in. Report adopted.

SB 241, be concurred in. Report adopted.

SB 301, be concurred in. Report adopted.

SB 366, be concurred in. Report adopted.

SB 386, be concurred in. Report adopted.

SB 426, be concurred in. Report adopted.

SJR 37, be not concurred in.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Dassinger in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 160 be amended as follows:

1. Amend page 1, section 1, subsection (1), line 13.

Following: "agency"

Strike: "shall"

Insert: "may" (66-26)

And be further amended:

2. Amend page 1, section 1, subsection (1), line 14.

Following: "available"

Insert: ","

Following: "(reasonably)"

Strike: "it is determined after engineering tests suitable for some purpose (in the construction) within the scope of the intended project"

Insert: "whenever it is determined after engineering tests that an additive is needed, the state agency shall use coal byproducts when they are the economically justified additive within the scope of the intended project" (88-2)

And be further amended:

3. Amend page 2.

Following: line 4

Insert: "Section 3. Reimbursement. The state shall be entitled to 1% of the wholesale price as a reimbursement for promoting the sale of the byproduct." (47-43)

And be further amended:

4. Amend page 1, section 1, line 21.

Following: "process."

Insert: "Components of cement shall not be included in or affected by this act in any way." (87-6)

(Material in parentheses denotes cancelled type.)

And as amended, be not concurred in. (59-37)

That SJR 16 be concurred in. (65-31)

That SJR 35 be concurred in. (66-32)

That the committee rise and report. (Dassinger, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Brand, Chairman):

3/21/77

SB 286, third reading bill, be amended as follows:

1. Amend title, page 1, line 7.

Following: "administration"

Insert: "and membership on the board of hail insurance to the state auditor"

2. Amend page 3, section 2, subsection (1), line 3.

Following: "(treasurer,)"  
Insert: "the state auditor,"

3. Amend page 3, section 2, subsection (1), line 4.  
Following: "(three)"  
Strike: "four"  
Insert: "three"

(Material in parentheses denotes cancelled type.)

As amended be concurred in. Report adopted.

### MESSAGES FROM THE GOVERNOR

March 21, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

The Honorable John B. Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear President McOmber and Speaker Driscoll:

In exercising the constitutional powers conferred upon me as Governor, I return House Bill 196, "An act to create certain exemptions to the inspection and permitting system for enforcement of the state plumbing codes; amending Section 66-2427, R.C.M. 1947.", without my signature and recommend the attached amendment.

The intent of the bill appears to be the elimination of duplicate permit requirements under state and local plumbing codes. I support the elimination of senseless duplication. However, the bill as written demands further clarification of two issues:

(1) Whether the wording of lines 6 through 10 prohibits a municipality as well as the state from requiring a plumbing permit for an installation within the area governed by the municipality.

(2) Whether the wording of lines 10 through 12 of the reference copy of the bill by implication allows the counties to enforce the state plumbing code. As you know, counties do not now have this power.

The attached amendment addressed both issues by clearly stating a city's right to require a permit, and by deleting reference to county enforcement of plumbing codes.

I ask for your favorable concurrence in this amendment.

Sincerely,

THOMAS L. JUDGE  
Governor

1. Amend page 2, line 6.  
Following: "No"  
Insert: "state"

2. Amend page 2, lines 10 through 12.  
Following: "procedures."



Strike: "No permit is required whenever the installation occurs within a county where the county governing body has hired local inspectors to enforce the state plumbing code."

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolutions on Committee Report  
in the Senate, not concurred in, reports  
adopted, and returned to the House:

3/21/77

House Bill No. 760, introduced by Ellison, Cox

House Joint Resolution No. 2, introduced by Huennekens, Vincent, Lory

Senate accedes to the request of the House  
for the return of Senate Bill No. 189  
for further consideration.

3/21/77

Meloy moved that the House adjourn until 1.30 p.m., March 22, 1977.

Motion carried.

House adjourned at 5:50 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SIXTY-SIXTH LEGISLATIVE DAY

Helena, Montana  
March 22, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Palmer, Tower, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/22/77  
Correctly enrolled - HB 34, HB 42, HB 97, HB 99, HB 256, HB 323, HB 376, HB 395, HB 396, HB 417, HB 418, HB 436, HB 586, HJR 18, HJR 22, HJR 58, HJR 80, HJR 82.

Signed by the Speaker on adjournment, 3/21/77 - HB 57, HB 288, HB 328, HB 331, HB 362, HJR 14, HJR 67, SB 16, SB 42, SB 64, SB 70, SB 78, SB 113, SB 140.

TAXATION (Huennekens, Chairman): 3/22/77  
SB 118, third reading copy, be amended as follows:

1. Amend page 3, section 3, lines 15 and 16.

Following: "June,"

Strike: "or within 15 days of receipt of notice of assessment, classification, or reappraisal,"

2. Amend page 3, section 3, lines 17, 18, 19.

Following: "therefor."

Strike: "The state tax appeal board may, for good cause, extend the date for filing the application."

And as amended, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman): 3/22/77  
SB 182, third reading bill, be amended as follows:

1. Amend page 4, section 6, subsection (3), line 13.

Following: "transfers"

Insert: "a single copy of"

2. Amend page 4, section 6, subsection (3), line 14.

Following: "purposes"

Insert: ", provided that no person directly or indirectly derives any pecuniary gain from such transfer"

And as amended, be concurred in. Report adopted.

SB 202, third reading bill, be amended as follows:

1. Amend page 2, section 1, subsection (2), line 5.

Following: "(2)"

Strike: "Branching de novo, branching"

Insert: "Branching"

Following: "merger"

Strike: “,”

2. Amend page 2, section 1, subsection (2), line 9.

Following: “prohibited.”

Insert: “Branching de novo in Montana by a foreign-chartered building and loan association is prohibited.”

And as amended, be concurred in. Report adopted.

### MESSAGES FROM THE GOVERNOR

March 21, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that I have this date approved House Bill Nos. 12, 21, 23, 27, 32, 35, 37, 74, 82, 254, 275.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolutions concurred in by the Senate  
and returned to the House:

3/21/77

House Bill No. 26, introduced by Marks

House Bill No. 101, introduced by Harrington, Lien, Cooney, et al

House Bill No. 104, introduced by Bertelsen, Fagg, Kropp, (by request)

House Bill No. 111, introduced by Dassinger, Severson (by request)

House Bill No. 221, introduced by Menahan, Lynch

House Bill No. 227, introduced by Kimble (by request)

House Bill No. 237, introduced by Robbins, Dassinger, et al

House Bill No. 273, introduced by Fagg

House Bill No. 291, introduced by Gilligan, Scully (by request)

House Bill No. 314, introduced by Gould, Lory

House Bill No. 343, introduced by Conroy

House Bill No. 497, introduced by Ramirez, Porter, et al

House Bill No. 540, introduced by Aageson, Underdal, et al

House Bill No. 542, introduced by Hirsch (by request)

House Joint Resolution No. 27, introduced by Feda, Keyser, Nathe, et al

House Joint Resolution No. 41, introduced by Teague, Kenny, et al

Bills and Resolutions concurred in as amended  
by the Senate, and returned to the House  
for concurrence in Senate Amendments:

3/21/77



House Bill No. 77, introduced by Barrett, Lory, Scully, Vincent (by request)

House Bill No. 96, introduced by Fagg, Williams (by request)

House Bill No. 116, introduced by Bradley, Meloy, et al

House Bill No. 150, introduced by Bradley, Fagg

House Bill No. 178, introduced by Harrington, Quilici, et al

House Bill No. 182, introduced by Meloy (by request)

House Bill No. 226, introduced by Keyser, Nathe, et al

House Bill No. 414, introduced by Lynch (by request)

House Bill No. 516, introduced by Underdal, Ageson, Roth, et al

House Bill No. 526, introduced by Lien, Bertelsen, et al

House Bill No. 607, introduced by Fagg

House Bill No. 612, introduced by Brand (by request)

House Bill No. 763, introduced by Ramirez, Meloy

House Bill No. 815, introduced by Labor Committee

House Joint Resolution No. 36, introduced by Conroy, Kimble, Bardanouve

House Joint Resolution No. 60, introduced by Bradley, Meloy

Bill not concurred in as amended  
and returned to the House:

3/21/77

House Bill No. 692, introduced by Bradley, Huennekens, Meloy

Bill on Committee of the Whole in the Senate,  
recommended that further action be  
indefinitely postponed, report adopted,  
and returned to the House:

3/21/77

House Bill No. 743, introduced by Ramirez, Holmes, Hand, et al

### MOTIONS

Meloy moved that the Governor's proposed amendments to HB 196 be placed on the Second Reading board tomorrow. Motion carried.

### SPECIAL ORDERS OF THE DAY

The Speaker introduced the Missoula All-City Girls Seventh and Eighth Grade Chorus who sang several selections accompanied by Carmen McFarland and directed by Debbie Jones.

### REPORTS OF SELECT COMMITTEES

#### FREE CONFERENCE COMMITTEE REPORT ON SJR 3

Report No. 1, March 21, 1977

Mr. President and Speaker of the House:

We, your Joint Free Conference Committee on Senate Joint Resolution No. 3, met on March 21, 1977, and considered House Committee on Fish and Game Amendments dated March 8, and recommend as follows:

That the House recede from amendment numbers 1 and 2, reading as follows:

1. Amend page 2, lines 11 and 12.

Following: line 10

Strike: "an interim legislative committee, including members representing"

Insert: "to a subcommittee of the Fish and Game Committees composed of 8 members appointed so as to attain equal representation of"

Following: "ranchers"

Strike: ", "

Insert: ", "

Following: "farmers"

Strike: ", "

Insert: "and"

Following: "sportsmen"

Strike: ", and"

Insert: ", "

2. Amend page 2, line 13.

Following: line 12

Insert: "Two"

Following: "Department"

Strike: "to"

Insert: "shall be appointed by the director, subject to approval of the Senate and House of Representatives Fish and Game Committee chairmen, as nonvoting members. The committee shall"

And further that Senate Joint Resolution No. 3, third reading, be amended as follows:

1. Amend title, line 6.

Following: "interim"

Insert: "select"

2. Amend page 2, line 11.

Following: line 10

Strike: lines 11 and 12 in their entirety

Insert: "a study of the problems described above to a select committee composed of 8 members appointed as follows: two senators who are rancher-farmers; two senators who are sportsmen; two members of the House Fish and Game Committee who are rancher-farmers; and two members of the House Fish and Game Committee who are sportsmen. Senate members shall be appointed by the Senate Committee on Committees; and House members shall be appointed by the chairman of the House Fish and Game Committee, with no more than two members from either house in the same political party. Two"

3. Amend page 2, line 13.

Following: "Department"

Strike: "to"

Insert: "shall be appointed by the director, subject to approval of the legislative members of the committee, to serve as nonvoting members. The committee shall"

And that Senate Joint Resolution No. 3, as amended, be concurred in.

## FROM THE SENATE:

LOWE, Chairman  
LENSINK  
BERGREN

## FROM THE HOUSE:

R. BAETH, Chairman  
STAIGMILLER  
BARRETT

Report adopted.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 833, introduced by Holmes, Waldron, Fagg, Harper. Referred to Committee on Appropriations.

HB 834, introduced by South, Meloy, Driscoll, Marks, Moore. Referred to Select Committee on Employee Compensation.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 16 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ernst, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kvaalen, Lien, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Robbins, Ryan, Severson, Shelden, Sivertsen, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Waldron, Mr. Speaker.  
Total 72

Noes: Davis, Ellison, Estenson, Kenny, Keyser, Kropp, Lory, McLane, Moore, Nathe, Ramirez, Scully, Seifert, Underdal, Wood, Wyrick.  
Total 16

Excused: Palmer, Tower.  
Total 2

Absent or not voting: Brand, Ellis, Eudaily, Fagg, Huennekens, Roth, Smith, South, Vinger, Williams.  
Total 10

Senate Joint Resolution No. 35 was concurred in by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meyer, Moore, Mular, Nathe, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Vinger, Williams, Wood, Wyrick.  
Total 66

Noes: R. Baeth, W. Baeth, Bradley, Colburn, Cooney, Courtney, Dussault, Estenson, Frates, J. Gunderson, Harper, Harrington, Hirsch, Holmes, Huennekens, Kennerly, Kessler, Kimble, Lynch, Meloy, Menahan, Metcalf, O'Connell, Quilici, Shelden, South, Underdal, Vincent, Waldron, Mr. Speaker.

Total 30

Excused: Palmer, Tower.

Total 2

Absent or not voting: Brand, Fagg.

Total 2

### MOTIONS

Scully moved that SB 386 be placed below SB 426 on the Second Reading board today. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Kimble in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 365 be amended as follows:

1. Amend section 1, page 1, line 25.

Following: "person."

Insert: "upon determination that a third party is liable for the medical expenses of a needy person under this section, the department shall immediately notify the third party of the subrogation." (86-0)

And as amended, be concurred in. (88-0)

Ageson excused at this time.

That HB 627 do pass. (85-13)

That HB 735 do pass. (92-1)

That SB 189 be not concurred in. (55-42)

Meloy replaced Kimble in the Chair.

That SB 231 be concurred in. (84-0)

Kimble resumed the Chair.

Tower present at this time.

That SB 241 be concurred in. (83-1)

That SB 286 be concurred in. (75-10)

That SB 301 be concurred in. (78-0)

That SB 366 be concurred in. (79-0)

That SB 403 be concurred in. (78-10)

That SB 426 be amended as follows:

1. Amend page 2, section 1, subsection (3), line 6.

Following: "will"

Insert: " , or who has otherwise been designated in writing by a



deceased dealer to succeed him in the motor vehicle dealership," (80-2)

And as amended, be concurred in. (83-0)

That SB 386 be amended as follows:

1. Amend page 9, section 5, subsection (3), line 24.

Following: "shall,"

Strike: "within 30 days of"

Insert: "not less than 30 days prior to" (85-0)

And as amended, be concurred in. (89-0)

That the committee rise and report. (Kimble, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

Examined by Sponsors and found to be correct - HB 34, HB 42, HB 97, HB 99, HB 256, HB 323, HB 376, HB 395, HB 396, HB 417, HB 418, HB 436, HB 586, HJR 18, HJR 22, HJR 58, HJR 80, HJR 82.

Will be signed by the Speaker on adjournment, 3/22/77 - HB 34, HB 42, HB 97, HB 99, HB 256, HB 323, HB 376, HB 395, HB 396, HB 417, HB 418, HB 436, HB 586, HJR 18, HJR 22, HJR 58, HJR 80, HJR 82, SB 23, SB 84, SB 116, SB 141, SB 157, SB 161, SB 183.

JUDICIARY (Scully, Chairman):

3/22/77

SB 27, third reading copy, be amended as follows:

1. Amend page 36, section 28, subsection (7), line 10.

Following: "(categories)"

Strike: "columns"

Insert: "categories"

2. Amend page 94, section 75, line 23 through line 8 on page 95.

Following: line 22

Strike: section 75 in its entirety

Renumber: subsequent sections

And as amended, be concurred in. Report adopted.

SB 33, be concurred in. Report adopted.

SB 34, be concurred in. Report adopted.

SB 53, third reading copy, be amended as follows:

1. Amend page 8, section 10, subsection (2), lines 3 through 5.

Following: "(2)"

Strike: lines 3 through 5 in their entirety

Insert: "If a governmental entity pays a judgment within 2 years after the day on which the judgment is entered, no penalty or interest may be assessed against the governmental entity."

And as amended, be concurred in. Report adopted.

SB 385, be concurred in. Report adopted.

HJR 93, reported without recommendation. Report adopted.

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on SJR 37 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley,

Conroy, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, South, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 71

Noes: Keyser, Manuel, Mular, Teague, Tropila.  
Total 5

Excused: Ageson, Palmer.  
Total 2

Absent or not voting: Barrett, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Estenson, Fagg, Gould, J. Gunderson, Hirsch, Jensen, Kennerly, McLane, O'Connell, Roth, Shelden, Sivertsen, Smith, Staigmiller, Tower.  
Total 22

### MESSAGES FROM THE OTHER HOUSE

Bills concurred in by the Senate  
and returned to the House: 3/22/77

House Bill No. 349, introduced by Estenson, (by request)

House Bill No. 408, introduced by Quilici, Meloy, Lynch

House Bill No. 472, introduced by Kimble, Dussault, et al

House Bill No. 529, introduced by Lien, Lynch, Harrington (by request)

House Bill No. 546, introduced by Barrett, Teague, Eudaily

Bills concurred in as amended by the Senate, and  
returned to the House for concurrence  
in Senate Amendments: 3/22/77

House Bill No. 80, introduced by Palmer, O'Keefe, Cooney, et al

House Bill No. 551, introduced by Teague, Ageson, Seifert, et al

Bill passed by Senate and transmitted  
to the House for concurrence: 3/22/77

Senate Bill No. 167, introduced by Rasmussen, Hager, Brown, et al

House Amendments to the following Senate Bills  
concurred in by the Senate: 3/22/77

Senate Bill No. 17, introduced by Blaylock

Senate Bill No. 58, introduced by Rasmussen

Senate Bill No. 83, introduced by Rasmussen, et al

Senate Bill No. 138, introduced by Mathers, Fasbender

Senate Bill No. 300, introduced by Watt, Murray

Senate Bill No. 357, introduced by Committee on Labor

Senate Bill No. 358, introduced by Committee on Labor

Senate Joint Resolution No. 14, introduced by Story, et al

3/22/77

Senate acceded to the request of the House, dated 3/21/77, and authorized the following conference committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 126.

Senator Manley, Chairman  
Senator Mathers  
Senator Thomas

3/22/77

Senate acceded to the request of the House, dated 3/21/77, and authorized the following free conference committee to meet with a like committee of the House to confer on House Bill No. 46.

Senator Towe, Chairman  
Senator Roberts  
Senator Murray

3/22/77

Senate acceded to the request of the House, dated 3/21/77, and authorized the following conference committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 41.

Senator Healy, Chairman  
Senator Turnage  
Senator Jergeson

### MOTIONS

Udhe moved that SA to HB 384 be passed to the 71st Legislative Day.  
Motion carried.

### UNFINISHED BUSINESS

Letter dated 3/22/77 from John Driscoll, Speaker of the House, to Mrs. Martha McGee, Chief Clerk, House of Representatives, appointing the following Representatives to serve on the Committee on Priorities:

Peter M. Meloy, Democrat  
John B. Driscoll, Democrat  
Dorothy Bradley, Democrat  
Joe Brand, Democrat  
Robert Marks, Republican  
Jack Moore, Republican  
Harrison Fagg, Republican  
Oscar Kvaalen, Republican

Letter dated 3/22/77 from John B. Driscoll, Speaker of the House, to Mrs. Martha McGee, Chief Clerk, House of Representatives appointing the following Representatives to serve on the Capitol Planning and Building Committee:

Representative Russell Baeth  
Representative Edith Cox

Letter dated 3/22/77 from John B. Driscoll, Speaker of the House, to Mrs. Martha McGee, Chief Clerk, House of Representatives appointing the following Representatives to serve on the Western States Forestry Task Force:

Representative Dorothy Bradley, Bozeman  
Representative Joe Kanduch, Anaconda

Meloy moved that the House adjourn until 2:00 p.m., March 23, 1977.

Motion carried.

House adjourned at 5:30 p.m.

JOHN B. DRISCOLL, Speaker

EDWIN A. SMITH, Assistant Chief Clerk



## SIXTY-SEVENTH LEGISLATIVE DAY

Helena, Montana  
March 23, 1977

House Chambers  
Capitol Building

House convened at 2:00 p.m., Mr. Speaker in the Chair. Invocation by Reverend John Robertson, Diocese of Helena. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, Marks, Palmer, Uhde, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/23/77

Considered correctly engrossed - HB 627, HB 735.

Correctly enrolled - HB 19, HB 26, HB 101, HB 104, HB 111, HB 221, HB 227, HB 230, HB 237, HB 244, HB 273, HB 291, HB 314, HB 339, HB 343, HB 430, HB 497, HB 535, HB 540, HB 542, HB 581, HB 591, HB 656, HJR 27, HJR 29, HJR 41.

Correctly printed - HJR 93.

Were signed by the Speaker on adjournment, 3/22/77 - HB 34, HB 42, HB 97, HB 99, HB 256, HB 323, HB 376, HB 395, HB 396, HB 417, HB 418, HB 436, HB 586, HJR 18, HJR 22, HJR 58, HJR 80, HJR 82, SB 23, SB 84, SB 116, SB 141, SB 157, SB 161, SB 183.

TAXATION (Huennekens, Chairman): 3/18/77

HB 630, introduced bill, be amended as follows:

1. Amend page 2, section 1, line 1.

Following: "but"

Insert: "which"

2. Amend page 2, section 1, line 13.

Following: "impact"

Strike: "as beneficial or detrimental to"

Insert: "on"

3. Amend page 2, section 1, line 14.

Following: "area"

Insert: ", beneficial or otherwise,"

4. Amend page 2, section 2, line 24.

Following: "taxation"

Strike: "rather"

Insert: "as well as"

5. Amend page 4, section 3, line 4.

Following: "detached"

Insert: "or semi-attached"

6. Amend page 4, section 3, lines 8 and 9.

Following: "commercial"

Insert: "area"

Following: "means"

Strike: "a clustering which consists"

Insert: "a cluster"

7. Amend page 4, section 3, line 10.

Following: "establishments"

Strike: "which"

Insert: "that"

8. Amend page 4, section 3, line 12.

Following: "a"

Strike: "½ mile radius of such facilities"

Insert: "geographical district defined by local government"

9. Amend page 4, section 3.

Following: line 23

Insert: "(7) 'Regional commercial area' means land adjacent to a neighborhood commercial area that accommodates business and trade facilities that are major in nature and generally require sites in excess of 4 acres and that serve the needs of a community or region. The quantity of land within a regional commercial area may not exceed 40 acres and may not contain more than ½ mile of frontage on any given street or highway."

Renumber: subsequent subsections

10. Amend page 4, section 5, line 24.

Following: "structures"

Insert: ", "

11. Amend page 5, section 3, line 1.

Following: "land"

Strike: "and"

Insert: ", used"

Following: "equipment,"

Insert: "or"

12. Amend page 5, section 3, line 2.

Following: line 1

Strike: "and"

Insert: "or the"

13. Amend page 5, section 3, line 3.

Following: "agriculture"

Insert: ", or serving as the residence or residences of those actually engaged in agriculture. These structures must be located on a portion of land being developed for agricultural purposes"

14. Amend page 5, section 3, line 5.

Following: "commissioners"

Strike: "or"

Insert: ", "

Following: "town"

Insert: ", "

15. Amend page 5, section 3, line 9.

Following: "affairs"

Strike: "as coordinator for implementation of 84-7505.1"

16. Amend page 5, section 3, line 11.

Following: "means"

Strike: "the changing in appraised value"

Insert: "expansion or reconstruction"

17. Amend page 5, section 3, lines 12 and 13.

Following: "object"

Strike: "through reconstruction whereby its value is increased"  
Insert: "which increases its taxable value"

18. Amend page 5, section 3, line 14.

Following: line 13

Strike: "5%"

Insert: "2 1/2 %, as determined by the department of revenue or its agents"

19. Amend page 5, section 5, line 18.

Following: "when"

Strike: "determined by"

Following: "assessor"

Insert: "determines the structure"

20. Amend page 5, section 5, line 22.

Following: "case"

Strike: "will"

Insert: "may"

21. Amend page 6, section 3, line 7.

Following: "body"

Strike: "according to accepted practices of planning agencies"

Insert: "as forming the center of the city's financial, commercial, and professional activities"

22. Amend page 6, section 3, line 10.

Following: "city,"

Strike: "which"

Insert: "that"

23. Amend page 6, section 3, lines 11 and 12.

Following: "extends"

Strike: "an additional 1,000 feet beyond in all directions"

Insert: "a minimum of one-half block beyond in all directions and a maximum of three blocks, including all streets and alleys adjacent to or within the area. In municipalities other than class 1 or class 2 cities, the core area shall be as designated by the governing body"

24. Amend page 6, section 5, line 17.

Following: "(16)"

Strike: "Urban"

Insert: "Suburban"

25. Amend page 6, section 3, lines 17 and 18.

Following: "land"

Strike: "which extends from the corporate limits up"

Insert: "that the governing body delineates as the developed or suburban area outside the corporate limit. This band may extend no further than"

26. Amend page 6, section 3, line 22.

Following: "areas"

Strike: "as"

27. Amend page 6, section 3, line 24.

Following: "means"

Strike: "appraised"

Insert: "taxable"

28. Amend page 7, section 3, line 5.

Following: "could be"

Strike: " ,"

29. Amend page 7, section 3, line 8.

Following: "to"

Insert: "the"

Following: "activities"

Strike: "as"

30. Amend page 7, section 3, lines 11 through 14.

Following: "agricultural—"

Strike: "irrigated land as defined in M.A.C. 42-2-22(1)-S2250 and department of revenue pamphlet 'Recommended Reclassification Procedures and Instructions' (pages 8 and 9)"

Insert: "tillable irrigated class 1 and 2 land as defined by the U.S. department of agriculture soil conservation service"

31. Amend page 8, section 3, line 5.

Following: "for"

Insert: "varying concentrations of"

Following: "dwellings"

Strike: "of varying densities"

32. Amend page 8, section 3, line 9.

Following: line 8

Strike: "conversion"

Insert: "converting"

Following: "processing,"

Strike: "assembly"

Insert: "assembling"

33. Amend page 8, section 3, line 10.

Following: line 9

Strike: "production"

Insert: "producing"

34. Amend page 8, section 3, line 13.

Following: line 13

Insert: "(21) 'Vacant unimproved land' means privately owned land in areas zoned residential or commercial that have not been developed for any use defined in the preceding subsection."

35. Amend page 8, section 4, line 16.

Following: "(1)"

Strike: "By June 30, 1978"

Insert: "Cities, towns, and counties shall follow the following procedure in adopting or developing provisions of this act:

(a) Any city or town that is already zoned shall adopt the provisions of this act on July 1, 1977, unless a petition for referendum against adoption is signed by at least 15% of the registered voters of that city or town and a majority of those voting on the question, in a special election or in the next general election, vote against its implementation.

(b) Any county that has adopted a master plan as defined in 11-3803 may adopt the provisions of this act, unless a petition for referendum against adoption is signed by at least 15% of the registered voters of that county and a majority of those voting on the question, in a special election or in the next general election, vote against its implementation.

(c) Any city or town that is not zoned may apply to the administering agency for funds to implement planning procedures on forms and in the manner to be determined by the administering agency.



(d) Any city or town that is not zoned and that does not choose to apply for planning funds from the administering agency shall be required to apply if a petition for referendum in favor of planning signed by at least 15% of the registered voters of that city or town is presented to the administering agency through the local governing body.

(e) Any county that is not planned may apply to the administering agency for funds to implement planning procedures on forms and in the manner to be determined by the administering agency.

(f) Any county that is not zoned and that does not choose to apply for planning funds from the administering agency shall be required to apply if a petition in favor of applying for planning funds signed by at least 15% of the registered voters of that county is presented to the administering agency through the local governing body.

(g) A city, town, or county that applies for funds but whose application is turned down may begin planning with its own funds.

(h) No city, town, or county may be required to prepare a plan unless planning funds are made available by the administering agency.

(i) For the purposes of this act, 'county' shall mean the area within a county but outside the corporate limits of cities and towns in that county.

(j) Planning efforts undertaken by any city, town, or county may be through joint, consolidated, city, city-county, or county planning boards subject to the provisions for such boards in Title 11, chapter 38.

(2)(a) After application by the governing body and selection for participation by the administering agency or a decision to plan without funds from the administering agency"

Renumber: subsequent subsections

36. Amend page 8, section 4, line 19.

Following: "shall"

Strike: "have inventoried"

Insert: "inventory"

37. Amend page 8, section 4, line 22.

Following: "act."

Insert: "This inventory shall be completed within one year from the date of notification that funds are available by the administering agency or the governing body."

38. Amend page 8, section 4, line 23.

Following: "inventory"

Strike: "includes"

Insert: "shall include"

39. Amend page 9, section 4.

Following: line 16

Insert: "(vii) a map or maps showing known mineral deposits;"

Renumber: subsequent subsections

40. Amend page 9, section 4, lines 21 and 22.

Following: "area"

Strike: "(for class 1 and class 2 cities)"

Following: "band,"  
Strike: "urban"  
Insert: "suburban"

41. Amend page 9, section 4, line 23.

Following: "commercial"  
Strike: "should it exist"  
Insert: "area, if any,"

42. Amend page 9, section 4, line 25.

Following: line 24  
Strike: "(b)"  
Insert: "(c)"  
Following: "items"  
Insert: "(b)"

43. Amend page 10, section 4, line 1.

Following: "through"  
Strike: "(viii)"  
Insert: "(ix)"

44. Amend page 10, section 4.

Following: line 2

Insert: "(d) Qualifications for the certification of a city, county, or city-county planner in charge of the proposed planning shall be made available by the administering agency, and no city or county may receive planning funds until its planner in charge is certified by the administering agency. A governing body need not have a full-time certified planner, but the locality's planning must be under the direction of a certified planner."

45. Amend page 10, section 4, line 5.

Following: "displayed,"  
Strike: "there shall be notification made"  
Insert: "the governing body shall publish notice"

46. Amend page 10, section 4, line 6.

Following: "which"  
Strike: "time"  
Following: "the"  
Strike: "materials will"  
Insert: "inventory and maps shall"

47. Amend page 10, section 4, line 7.

Following: "of"  
Strike: "categorization will"  
Insert: "classification shall"

48. Amend page 10, section 4, line 8.

Following: "Any"  
Insert: "suggested"

49. Amend page 10, section 4, line 9.

Following: line 8  
Strike: "categories suggested"  
Insert: "classifications"

50. Amend page 10, section 4, line 10.

Following: "at"  
Strike: "their"  
Insert: "its"  
Following: "discretion"

Insert: "may"

51. Amend page 10, section 4, line 12.

Following: "than"

Strike: "August 31, 1978"

Insert: "15 months after the notification of availability of funds for planning"

52. Amend page 10, section 4, line 13.

Following: "(3)"

Strike: "By October 31, 1979"

Insert: "Within one year after the hearing or hearings indicated in 84-7505.1(3)"

53. Amend page 11, section 4, line 10.

Following: "completed"

Strike: "no later than December 31, 1979"

Insert: "as quickly as possible"

53A. Amend page 11, section 4, line 11.

Following: "(4)"

Strike: "By February 29, 1980"

Insert: "Within 2 ½ years after receipt of funds from the administering agency"

53B. Amend page 11, section 4, line 15.

Following: "subsection"

Strike: "(3)"

Insert: "(4)"

53C. Amend page 11, section 4, lines 16 through 22.

Following: line 15

Strike: subsection (5) in its entirety

54. Amend page 11, section 4, line 23.

Following: "(6)"

Insert: "(a)"

Reletter: subsequent subsections

55. Amend page 12, section 4, line 6.

Following: "combination"

Strike: "or"

Insert: "of"

56. Amend page 13, section 4, line 17.

Following: "compatible"

Strike: "and"

57. Amend page 13, section 4.

Following: line 19

Insert: "(f) Land may be classified as nonproductive if it meets the criteria of 84-7504.1(20)(b) in any of the subclassifications listed in this subsection.

(g) The classifications noted in 84-7505.1(4) may be subdivided by the governing body in any manner so long as they remain within the primary classification. Additionally, these same classifications may overlay corresponding different zoning classifications set forth in any city or county zoning plan.

(h) The provisions of any classification as noted in 84-7505.1 apply only to the surface of the land and no usage that is solely below the surface such as mining may affect the surface classification."

58. Amend page 13, section 4, line 24 through line 9, page 14.

Following: "held,"

Strike: remainder of line 24 through line 9, page 14

Insert: "the question of adopting the final plan shall be submitted to the qualified electors of the city, town, or county in a special election or in the next general election. If a majority of the qualified electors voting on the question vote against the plan, the final plan may not be adopted and the provisions of 84-7505.1(4) do not apply. If the majority of those voting on the question favor the adoption of the plan, the governing body shall adopt the final plan by ordinance."

59. Amend page 14, section 6, line 20.

Following: "the"

Strike: "previously appraised"

Insert: "previous taxable"

60. Amend page 14, section 6, line 22.

Following: line 21

Insert: "(a)"

Following: "A—the"

Strike: "appraised"

Insert: "taxable"

61. Amend page 14, section 6, line 23.

Following: "level"

Strike: "("

Insert: "or"

Following: "agricultural"

Strike: ")"

62. Amend page 14, section 6, line 24.

Following: "at"

Strike: "an appraised value of 75% of the land value (50% if prime agricultural),"

Insert: "that level"

63. Amend page 15, section 6, line 2.

Following: line 1

Insert: "(b)"

Following: "B—the"

Strike: "appraised"

Insert: "taxable"

64. Amend page 15, section 6, line 3.

Following: "level"

Strike: "("

Insert: "or"

Following: "agricultural"

Strike: ")"

65. Amend page 15, section 6, lines 4 and 5.

Following: "at"

Strike: "an appraised value of 85% of the land value (70% if prime agricultural),"

Insert: "that level"

66. Amend page 15, section 6, line 7.

Following: line 6

Insert: "(c)"

Following: "C—the"



Strike: "appraised"

Insert: "taxable"

67. Amend page 15, section 6, line 10.

Following: line 9

Insert: "(d)"

Following: "D—the"

Strike: "appraised"

Insert: "taxable"

Following: "10%"

Insert: "or 20% if prime agricultural"

68. Amend page 15, section 6, lines 11 and 12.

Following: "and"

Strike: "is thereafter"

Following: "at"

Strike: "an appraised value of 110% of the land value,"

Insert: "that level"

69. Amend page 15, section 6, line 14.

Following: line 13

Insert: "(e)"

Strike: "appraised"

Insert: "taxable"

70. Amend page 15, section 6, lines 15 and 16.

Following: "and"

Strike: "is thereafter"

Following: "at"

Strike: "an appraised value of 75% of the land value,"

Insert: "that level"

71. Amend page 15, section 6, line 17.

Following: "in"

Strike: "appraised"

Insert: "taxable"

72. Amend page 15, section 6, line 18.

Following: "Class"

Strike: "A"

Insert: "B or C"

73. Amend page 15, section 6, line 21.

Following: line 20

Insert: "(f)"

Following: "F—the"

Strike: "appraised"

Insert: "taxable"

74. Amend page 15, section 6, lines 22 and 23.

Following: "and"

Strike: "is thereafter"

Following: "at"

Strike: "an appraised value of 60% of the land value,"

Insert: "that level"

75. Amend page 15, section 6, line 24.

Following: "in"

Strike: "appraised"

Insert: "taxable"

76. Amend page 15, section 6, line 25.

Following: "Class"

Strike: "A"

Insert: "B or C"

77. Amend page 16, section 6, line 3.

Following: "land"

Strike: ", "

Insert: "or"

78. Amend page 16, section 6, line 4.

Following: "assigns"

Strike: ", "

79. Amend page 16, section 6, line 7.

Following: "land"

Strike: ", "

Insert: "or"

80. Amend page 16, section 6, line 8.

Following: "assigns"

Strike: ", "

81. Amend page 16, section 6, line 11.

Following: "land"

Strike: ", "

Insert: "or"

82. Amend page 16, section 6, line 12.

Following: "assigns"

Strike: ", "

83. Amend page 16, section 6, line 15.

Following: "body"

Strike: "may"

Insert: "shall"

84. Amend page 16, section 6, line 19.

Following: "or"

Strike: "10"

Insert: "5"

85. Amend page 16, section 6, line 22.

Following: "land"

Strike: ", "

Insert: "or"

86. Amend page 16, section 6, line 23.

Following: "assigns"

Strike: ", "

87. Amend page 17, section 6, line 1.

Following: "land"

Strike: ", "

Insert: "or"

88. Amend page 17, section 6, line 2.

Following: "assigns"

Strike: ", "

89. Amend page 17, section 6, line 3.

Following: "game,"

Insert: "after approval by the governing body,"

90. Amend page 17, section 6, line 11.

Following: "land"

Strike: " , "

Insert: "or"

91. Amend page 17, section 6, line 12.

Following: "successors,"

Strike: "and"

Insert: "or"

Following: "assigns"

Strike: " , "

92. Amend page 17, section 6, line 16.

Following: "land"

Strike: " , "

Insert: "or"

93. Amend page 17, section 6, line 17.

Following: "assigns"

Strike: " , "

94. Amend page 18, section 6, line 4.

Following: line 3

Insert: "any class of"

Following: "time"

Strike: "without penalty"

Insert: "and shall be taxed at 100% of taxable value"

Following: line 4

Insert: "(10) Land taken from any classification of this section and strip-mined shall be taxed under the provisions of 84-7510.1 until it is reclaimed. However, no land may be taken from agricultural use until the provisions of 84-7517.1 have been met."

95. Amend page 18, section 7, line 12.

Following: "84-7505.1"

Strike: "(4)"

Insert: "(5)"

95A. Amend page 18, section 7, line 24.

Following: "(1)"

Strike: "existing"

Insert: "Existing"

96. Amend page 18, section 7, line 25.

Following: "residential"

Insert: "in cities or towns that showed population growth in the last census period"

97. Amend page 19, section 7, line 1.

Following: "current"

Strike: "appraised"

Insert: "taxable"

98. Amend page 19, section 7, line 3.

Following: "the"

Strike: "appraised"

Insert: "taxable"

Following: "value"

Strike: "for tax purposes"

Following: "to"

Insert: "a"

99. Amend page 19, section 7, line 4.

Following: "shall"  
Strike: "continue to"

100. Amend page 19, section 7, line 5.

Following: "of"  
Strike: "appraised"  
Insert: "taxable"

101. Amend page 19, section 7, line 6.

Following: line 5  
Strike: "converted to residential use"  
Insert: "developed. If vacant unimproved land is not marketable because of local conditions, the governing body shall grant zoning variances to conform with established neighborhood patterns that will increase the marketability of such land. The governing body in accordance with 84-7517.1 may extend the 5-year period as to existing residential subdivisions in which the vacant lots are being developed by new residential construction within a reasonable time under existing economic conditions"

102. Amend page 19, section 7, line 7.

Following: "(2)"  
Strike: "residential"  
Insert: "Residential"  
Following: "land"  
Insert: ", served by municipal water, sewer, and street systems, that is"

103. Amend page 19, section 7, lines 8 and 9.

Following: "use"  
Strike: ","  
Insert: "shall be taxed at"  
Following: "of"  
Strike: "appraised"  
Insert: "taxable"  
Following: "value"  
Strike: ", at which rate it shall remain"

104. Amend page 19, section 7, line 10.

Following: "the"  
Strike: "appraised value shall be used"  
Insert: "property shall be taxed at its full taxable value"  
Following: line 10

Insert: "(3) A city that is under the provisions of this act may, with county approval and for the purpose of developing a beneficial growth pattern, extend the provisions of subsection (2) into areas described as the suburban band even if the county has not adopted a final plan."

Renumber: subsequent subsections

105. Amend page 19, section 7, line 11.

Following: "(3)"  
Insert: "New"

106. Amend page 19, section 7, line 12.

Following: "band"  
Strike: ","  
Insert: "shall be taxed at"  
Following: "of"  
Insert: "taxable"

107. Amend page 19, section 7, line 13.



Following: "value"

Strike: ", at which rate it shall remain"

108. Amend page 19, section 7, line 16.

Following: line 15

Strike: "appraised"

Insert: "taxable"

Following: "year."

Strike: "Subsequent"

Insert: "In subsequent"

108A. Amend page 19, section 7, line 17.

Following: "years"

Insert: ", the property"

Following: "shall"

Strike: "use the appraised"

Insert: "be taxed at 100% of taxable"

109. Amend page 19, section 7, line 18.

Following: "(4)"

Insert: "New"

Following: "land"

Insert: "classified as other than residential"

Following: "the"

Strike: "urban"

Insert: "suburban"

110. Amend page 19, section 7, line 19.

Following: "band"

Strike: ".,"

Insert: "shall be taxed at"

Following: "of"

Strike: "appraised"

Insert: "taxable"

Following: "value"

Strike: ", at which rate it shall remain"

111. Amend page 19, section 7, line 22.

Following: "until the"

Strike: "appraised"

Insert: "taxable"

112. Amend page 19, section 7, line 23.

Following: "year."

Strike: "Subsequent"

Insert: "In subsequent"

Following: "years"

Insert: ", the property"

Following: "shall"

Strike: "use the appraised"

Insert: "be taxed at 100% of taxable"

Following: "value."

Insert: "The taxable value shall be reduced 10% if the residential building is constructed on nonproductive land."

113. Amend page 19, section 7, line 24.

Following: "(5)"

Insert: "New"

Following: "on"

Insert: "nonproductive"

114. Amend page 19, section 7, line 25 and lines 1 and 2, page 20.

Following: line 24

Strike: "nonproductive beyond"

Insert: "other than residential within"

Following: "the"

Strike: "urban"

Insert: "suburban"

Following: "band"

Strike: "other than (7) of this section; 133%"

Insert: "shall be taxed at 110%"

Following: "of"

Strike: "appraised"

Insert: "taxable"

Following: "value"

Strike: ", at which rate it shall remain"

115. Amend page 20, section 7, line 4.

Following: "the"

Strike: "appraised"

Insert: "taxable"

116. Amend page 20, section 7, line 5.

Following: "year."

Strike: "Subsequent"

Insert: "In subsequent"

Following: "years"

Insert: ", the property"

Following: "shall"

Strike: "use the appraised"

Insert: "be taxed at 100% of its taxable"

117. Amend page 20, section 7, line 7.

Following: "(6)"

Insert: "New"

(There is no amendment #118.)

119. Amend page 20, section 7, lines 9 and 10.

Following: "the"

Strike: "urban"

Insert: "suburban"

Following: "band"

Strike: ",,"

Insert: "shall be taxed at"

Following: "of"

Strike: "appraised"

Insert: "taxable"

Following: "value"

Strike: ", at which rate it shall remain"

120. Amend page 20, section 7, line 12.

Following: "the"

Strike: "appraised"

Insert: "taxable"

121. Amend page 20, section 7, lines 13 and 14.

Following: "year."

Strike: "Subsequent"

Insert: "In subsequent"

Following: "years"

Insert: ", the property"

Following: "shall"

Strike: "use the appraised"  
Insert: "be taxed at 100% of its taxable"

122. Amend page 20, section 7, line 15.

Following: "(7)"

Insert: "New"

123. Amend page 20, section 7, line 16.

Following: "agricultural"

Strike: ".,"

Insert: "shall be taxed at"

Following: "of"

Strike: "appraised"

Insert: "its taxable"

124. Amend page 20, section 7, line 19.

Following: "until"

Strike: "the appraised"

Insert: "its taxable"

125. Amend page 20, section 7, line 20.

Following: "year."

Strike: "Subsequent"

Insert: "In subsequent"

Following: "years"

Insert: ", the property"

Following: "shall"

Strike: "use the appraised"

Insert: "be taxed at 100% of its taxable"

126. Amend page 20, section 7, line 21.

Following: line 21

Insert: "(8) The provisions of this section do not apply to any new residential construction on land classified as nonproductive or productive agricultural but not prime irrigated agricultural if the land does not require water and sewer services from a unit of government and is zoned for residential use or is restricted by subdivision covenants that meet or exceed minimum federal housing standards."

127. Amend page 21, section 8, line 4.

Following: line 3

Strike: "84-7505.1(4). All new construction"

Insert: "84-7505.1(5). Owners"

Following: "buildings"

Insert: "under construction"

128. Amend page 21, section 8, subsection (1), line 11.

Following: "commercial"

Strike: " ,"

129. Amend page 21, section 8, subsection (1).

Following: line 11

Strike: "appraised"

Insert: "taxable"

130. Amend page 21, section 8, subsection (1), line 14.

Following: "the"

Strike: "appraised"

Insert: "taxable"

Following: "value"

Strike: "for tax purposes"

131. Amend page 21, section 8, subsection (1), line 15.  
Following: "shall"  
Strike: "continue to"
132. Amend page 21, section 8, subsection (1), line 16.  
Following: "of"  
Strike: "appraised"  
Insert: "taxable"  
Following: "until"  
Strike: "such time as"
133. Amend page 21, section 8, subsection (2), line 19.  
Following: "area"  
Strike: "shall"  
Insert: "may"
134. Amend page 21, section 8, subsection (2), line 20.  
Following: "during"  
Strike: "the"  
Insert: "its"  
Following: "period."  
Strike: "The"  
Insert: "In the"
135. Amend page 21, section 8, subsection (2), line 21.  
Following: "construction"  
Strike: "will"  
Insert: "is completed, the property shall"  
Following: "of"  
Strike: "the appraised"  
Insert: "its taxable"
136. Amend page 21, section 8, subsection (2), line 22.  
Following: "thereafter"  
Strike: "will"  
Insert: "the percentage shall"
137. Amend page 21, section 8, subsection (2), line 23.  
Following: "the"  
Strike: "appraised"  
Insert: "taxable"  
Following: "year."  
Strike: "Subsequent"  
Insert: "In subsequent"
138. Amend page 21, section 8, subsection (3), line 24.  
Following: "years"  
Insert: ", the property"  
Following: "shall"  
Strike: "use the appraised"  
Insert: "be taxed at 100% of taxable"
139. Amend page 22, section 8, subsection (3), line 1.  
Following: "and"  
Insert: "in an area"
140. Amend page 22, section 8, subsection (3), line 3.  
Following: "area"  
Strike: ", shall"  
Insert: "may"
141. Amend page 22, section 8, subsection (3), line 4.



Following: "period."  
Strike: "The"  
Insert: "In the"  
Following: "construction"  
Strike: "will"  
Insert: ", the property shall"

142. Amend page 22, section 8, subsection (3), line 5.

Following: "of"  
Strike: "the appraised"  
Insert: "its taxable"  
Following: "thereafter"  
Strike: "will"  
Insert: "the percentage shall"

143. Amend page 22, section 8, subsection (3), line 6.

Following: "the"  
Strike: "appraised"  
Insert: "taxable"

144. Amend page 22, section 8, subsection (3), line 7.

Following: "year."  
Strike: "Subsequent"  
Insert: "In subsequent"  
Following: "years"  
Strike: "shall use the appraised"  
Insert: ", the property shall be taxed at 100% of its taxable"

145. Amend page 22, section 8, subsection (3), line 8.

Following: "value."  
Insert: "New commercial construction not included in a neighborhood commercial or regional commercial area shall be taxed during the construction period. For 10 years after construction, it shall be taxed at 125% of taxable value. Beginning in the 11th year after construction, the percentage shall be decreased at a rate of 5% a year for 5 years."

(4) New commercial construction or expansion of an existing commercial enterprise within the civic band and in an area designed by the governing body as a regional commercial area may not be taxed during the construction period. In the first year after construction, the property shall be taxed at 33 1/3 % of its taxable value. Each year thereafter, the percentage will be increased by 33 1/3 % until the full taxable value is reached in the third year. In subsequent years, the property shall be taxed at 100% of its taxable value."

Renumber: subsequent subsections

146. Amend page 22, section 8, subsection (4), line 11.

Following: "of"  
Strike: "the appraised"  
Insert: "its taxable"

147. Amend page 22, section 8, subsection (4), line 13.

Following: "of"  
Strike: "the appraised"  
Insert: "their taxable"

148. Amend page 22, section 8, subsection (4), line 14.

Following: line 13  
Strike: "at which rate it shall remain"

149. Amend page 22, section 8, subsection (4), line 15.  
Following: "percentage"  
Insert: "of taxable value"

150. Amend page 22, section 8, subsection (4), line 16.  
Following: "increments"  
Strike: "over a 10-year period"  
Following: "the"  
Strike: "appraised"  
Insert: "taxable"

151. Amend page 22, section 8, subsection (4), line 17.  
Following: "year."  
Strike: "Subsequent"  
Insert: "In subsequent"  
Following: "years"  
Insert: ", the property"

152. Amend page 22, section 8, subsection (4), line 18.  
Following: line 17  
Strike: "use the appraised"  
Insert: "be taxed at 100% of its taxable"

153. Amend page 22, section 8, subsection (5), line 19.  
Following: "construction"  
Insert: "on land classified other than commercial"

154. Amend page 22, section 8, subsection (5), line 21.  
Following: "at"  
Strike: "the appraised"  
Insert: "100% of its taxable"

155. Amend page 22, section 8, subsection (5), line 22.  
Following: "construction"  
Insert: "is completed"

156. Amend page 22, section 8, subsection (5), lines 23 and 24.  
Following: "of"  
Strike: "the appraised"  
Insert: "their taxable"  
Following: "value"  
Strike: "at which rate it shall remain"

157. Amend page 22, section 8, subsection (5), line 25.  
Following: "percentage"  
Insert: "of taxable value used"

158. Amend page 23, section 8, subsection (5), line 1.  
Following: page 22, line 25  
Strike: "over a 10-year period"  
Following: "the"  
Strike: "appraised"  
Insert: "taxable"

159. Amend page 23, section 8, subsection (5), line 2.  
Following: "year."  
Strike: "Subsequent"  
Insert: "In subsequent"  
Following: "years"  
Insert: ", the property"  
Following: "shall"  
Strike: "use the appraised"

Insert: "be taxed at 100% of its taxable"

160. Amend page 23, section 8.

Following: line 3

Insert: "(7) New commercial construction or expansion of an existing commercial enterprise is not eligible for the tax benefits described in subsections (2) through (5) if it is developed solely or in part on land purchased or cleared through tax increment financing as provided in 11-3921."

161. Amend page 23, section 9, line 7.

Following: "provisions."

Insert: "(1)"

162. Amend 23, section 9, line 11.

Following: line 10

Strike: "84-7505.1(4). All new construction or expansion"

Insert: "84-7505.1(5). Owners"

Following: "of"

Insert: "existing"

163. Amend page 23, section 9, line 12.

Following: "buildings"

Insert: "and grounds under construction or undergoing expansion that increases the taxable value of the property 10%"

164. Amend page 23, section 9, lines 14 through 17.

Following: "body."

Strike: "Benefits and penalties for new construction or expansion shall apply to the land and the improvements thereon and will be in accordance with the following:"

165. Amend page 23, section 9, line 20.

Following: "facilities."

Strike: "These"

Insert: "Tax benefits and penalties for new construction or expansion shall apply to the land and the improvements thereon in accordance with these"

Following: "classifications"

Strike: "shall be"

Insert: " , "

166. Amend page 23, section 9, line 22.

Following: "following"

Insert: "environmental criteria"

167. Amend page 23, section 9, line 23.

Following: line 22

Strike: "environmental criteria"

168. Amend page 23, section 9, line 24.

Following: line 23

Insert: "(2) Construction of or expansion of industrial buildings and grounds:"

169. Amend page 23, section 9, line 24.

Following: line 23

Strike: "1. Would"

Insert: "(a) would"

170. Amend page 24, section 9, line 1.

Following: "protection"

Strike: " . "

Insert: “,”

171. Amend page 24, section 9, line 2.

Following: line 1

Strike: “2. Would”

Insert: “(b) would”

Following: “for”

Strike: “its”

172. Amend page 24, section 9, line 3.

Following: “needs”

Strike: “,”

Insert: “,”

173. Amend page 24, section 9, line 4.

Following: line 3

Strike: “3. Would”

Insert: “(c) would”

Following: “the”

Insert: “existing”

174. Amend page 24, section 9, line 6.

Following: “pollution”

Strike: “,”

Insert: “or that through reclamation the natural environment could be returned to its original condition;”

175. Amend page 24, section 9, line 7.

Following: line 6

Strike: “4. Would”

Insert: “(d) would”

Following: “uses,”

Insert: “established”

176. Amend page 24, section 9, line 8.

Following: “characteristics”

Insert: “in the area”

Following: “resources”

Insert: “,”

177. Amend page 24, section 9, line 9.

Following: “values”

Strike: “,”

Insert: “,”

178. Amend page 24, section 9, line 10.

Following: line 9

Strike: “5. Would”

Insert: “(e) would”

179. Amend page 24, section 9.

Following: line 11

Insert: “(3) Classes A, B, C, and D shall be determined and taxed as follows:”

180. Amend page 24, section 9, line 12.

Following: “criteria”

Strike: “1, 2, 3, 4 and 5”

Insert: “(2)(a) through (2)(e)”

181. Amend page 24, section 9, line 13.

Following: “criteria”

Strike: “3, 4 and 5”



Insert: "(2)(c) through (2)(e)"

182. Amend page 24, section 9, line 14.

Following: "criteria"

Strike: "2 and 5"

Insert: "(2)(b) and (2)(e)"

183. Amend page 24, section 9, line 15.

Following: "B"

Insert: ",",

184. Amend page 24, section 9, line 24.

Following: "to the"

Strike: "appraised"

Insert: "taxable"

Following: "(-) the"

Strike: "appraised"

Insert: "taxable"

185. Amend page 24, section 9, line 25.

Following: "value."

Strike: "The"

Insert: "These"

Following: "percentages"

Insert: "of taxable value"

186. Amend page 25, section 9, line 1.

Following: "following"

Insert: "their"

187. Amend page 25, section 9, line 2.

Following: "period"

Strike: "shall"

Insert: "may"

188. Amend page 25, section 9, line 4.

Following: "industry"

Insert: ", except as provided in 84-7509(3), (5), (6), and (7)"

189. Amend page 25, section 9, line 5.

Following: "percentage"

Strike: "applied to the appraised"

Insert: "of taxable"

190. Amend page 25, section 9, line 6.

Following: "until"

Strike: "appraised"

Insert: "taxable"

191. Amend page 25, section 9, line 7.

Following: "Thereafter,"

Strike: "appraised"

Insert: "the property shall be taxed at 100% of taxable"

192. Amend page 25, section 9, line 8.

Following: line 7

Strike: "shall be used"

193. Amend page 25, section 10, line 13.

Following: "developments"

Strike: "outside of"

Insert: "within"

194. Amend page 25, section 10, line 14.

Following: "district"

Strike: "but"

Insert: "or an area designated by the governing body or that is"

Following: "area"

Strike: ",

195. Amend page 25, section 10, line 15.

Following: "area"

Strike: ", shall"

Insert: "may"

196. Amend page 25, section 10, lines 16 and 17.

Following: "period."

Strike: "The first year after"

Insert: "After"

197. Amend page 25, section 10, line 17.

Following: "construction"

Insert: "is completed, the property"

Following: "of"

Strike: "the appraised"

Insert: "its taxable"

198. Amend page 25, section 10, line 18.

Following: "value"

Insert: "for a period of 10 years"

Following: "thereafter"

Strike: "will"

Insert: ", the percentage of taxable value shall"

199. Amend page 25, section 10, line 19.

Following: "the"

Strike: "appraised"

Insert: "taxable"

Following: "in the"

Strike: "5th"

Insert: "15th"

Following: "year."

Strike: "Subsequent"

Insert: "In subsequent"

200. Amend page 25, section 10, line 20.

Following: "years"

Insert: ", the property"

Following: "shall"

Strike: "use the appraised"

Insert: "be taxed at 100% of its taxable"

201. Amend page 25, section 11, line 25.

Following: "body"

Strike: "will"

Insert: "shall"

202. Amend page 26, section 11, subsection (1), line 2.

Following: "PUD"

Strike: "shall"

Insert: "may"

203. Amend page 26, section 11, subsection (2), lines 4 and 5.

Following: "band, the"

Strike: "first 10 years following construction"

Insert: "property"

204. Amend page 26, section 11, subsection (2), lines 5 and 6.

Following: "of"

Strike: "the appraised"

Insert: "its taxable"

Following: "value"

Insert: "for 10 years following construction"

205. Amend page 26, section 11, subsection (2), line 7.

Following: "percentage"

Strike: "applied to the appraised"

Insert: "of taxable"

206. Amend page 26, section 11, subsection (2), line 8.

Following: "until"

Strike: "appraised"

Insert: "taxable"

207. Amend page 26, section 11, subsection (2), line 9.

Following: "Thereafter,"

Strike: "appraised"

Insert: "the property shall be taxed at 100% of its taxable"

Following: line 9

Strike: "shall be used"

208. Amend page 26, section 11, subsection (3), lines 11 and 12.

Following: "band, the"

Strike: "first 10 years following construction"

Insert: "property"

209. Amend page 26, section 11, subsection (3), lines 12 and 13.

Following: "of"

Strike: "the appraised"

Insert: "its taxable"

Following: "value"

Insert: "for 10 years following construction"

210. Amend page 26, section 11, subsection (3), line 14.

Following: "percentage"

Strike: "applied to the appraised"

Insert: "of taxable"

211. Amend page 26, section 11, subsection (3), line 15.

Following: "until"

Strike: "appraised"

Insert: "taxable"

212. Amend page 26, section 11, subsection (3), line 16.

Following: "is"

Strike: "attained"

Insert: "reached"

Following: "Thereafter,"

Strike: "appraised"

Insert: "the property shall be taxed at 100% of its taxable"

213. Amend page 26, section 11, subsection (3), line 17.

Following: line 16

Strike: "shall be used"

214. Amend page 26, section 11, subsection (4), lines 18 and 19.

Following: "area, the"

Strike: "first 10 years following construction"

Insert: "property"

215. Amend page 26, section 11, subsection (4), lines 19 and 20.

Following: "of"

Strike: "the appraised"

Insert: "its taxable"

Following: "value"

Insert: "for 10 years following construction"

216. Amend page 26, section 11, subsection (4), line 21.

Following: "percentage"

Strike: "applied to the appraised"

Insert: "of taxable"

217. Amend page 26, section 11, subsection (4), line 22.

Following: "until"

Strike: "appraised"

Insert: "taxable"

218. Amend page 26, section 11, subsection (4), line 23.

Following: "is"

Strike: "attained"

Insert: "reached"

Following: "Thereafter,"

Strike: "appraised"

Insert: "the property shall be taxed at 100% of its taxable"

219. Amend page 26, section 11, subsection (4), line 24.

Following: line 23

Strike: "shall be used"

220. Amend page 26, section 11, line 24.

Following: line 24

Insert: "(5) If, through efficient land use, densities in single detached dwellings are increased to 12 or more units per acre within a subdivided area, those properties shall have their taxes reduced 10% below the valuation given after all other provisions of this act have been applied. These reductions shall apply for so long a time as their respective categories receive a tax reduction."

Renumber: subsequent subsection

221. Amend page 27, section 12, subsection (1), lines 7, 8, 9.

Following: "structures"

Strike: "which results in an increase in the appraised value of at least 5%, as determined by the governing body,"

222. Amend page 27, section 12, subsection (1), lines 10 and 11.

Following: "benefits"

Strike: ", applied to the amount of increase in appraised value,"

223. Amend page 27, section 12, subsection (1), line 11.

Following: "for the"

Strike: "next"

Insert: "following"

224. Amend page 27, section 12, subsection (1), line 12.

Following: "following"

Insert: "schedule. These percentages shall be applied to any increase in taxable value caused by the remodeling"

225. Amend page 27, section 12, subsection (1), line 13.

Following: line 12

Strike: "appraised value increase:"



226. Amend page 27, section 12, subsection (1), line 14.

Following: line 13

Strike: "assessment percentage"

227. Amend page 27, section 12, subsection (2), lines 22 through 25, and line 1, page 28.

Following: "(2)"

Strike: "Existing homes, buildings or structures shall remain in their existing taxable classifications, reflecting only changes in market value, for a period of 10 years following the passage of this act, unless remodeled, where subsection (1) of this section applies."

228. Amend page 28, section 12, subsection (2), line 1.

Following: "If"

Insert: "an existing home, building, or structure is"

Following: "remodeled"

Insert: "as defined in this chapter"

229. Amend page 28, section 12, subsection (2), line 2.

Following: "years"

Insert: "following passage of this act"

230. Amend page 28, section 12, subsection (2), lines 2 and 3.

Following: "to"

Strike: "the assessed"

Insert: "its taxable"

Following: "value"

Strike: "annually,"

Insert: "each year that the owner fails to remodel"

231. Amend page 28, section 12, subsection (2), lines 3, 4, and 5.

Following: "50%"

Strike: ", for purposes of taxation until the provisions of subsection (1) of this section are met"

232. Amend page 28, section 12, subsection (2), line 5.

Following: "After"

Strike: "remodeling"

Insert: "a home, building, or structure has been remodeled"

233. Amend page 28, section 12, subsection (2), line 8.

Following: line 7

Insert: "(3)"

234. Amend page 28, section 12, subsection (2), line 11.

Following: "property"

Insert: "so that depreciation has not taken place to lower the value of the property"

235. Amend page 28, section 13, subsection (2), line 19.

Following: "in"

Strike: "taxation"

Insert: "taxes necessary"

Following: "for"

Strike: "the"

Insert: "any"

236. Amend page 28, section 13, subsection (2), lines 20 and 21.

Following: "be"

Strike: "reflected in"

Insert: "raised by"

Following: "an"

Strike: "increase in"  
 Insert: "increased"  
 Following: "mill"  
 Strike: "levies and not in"  
 Insert: "levy rather than by"

237. Amend page 28, section 13, subsection (3), line 23.

Following: "property"

Strike: "under one or more ownerships"

Insert: "owned by one or more persons or companies"

238. Amend page 29, section 13, subsection (4), line 3.

Following: "institution"

Strike: "operating on a nonprofit basis"

Insert: "exempt from taxation"

239. Amend page 29, section 13, subsection (5), line 6.

Following: "industry"

Strike: "which"

Insert: "that"

240. Amend page 29, section 13, subsection (5), line 8.

Following: "counties,"

Strike: "shall"

Insert: "may at the request of an affected county"

241. Amend page 29, section 13, subsection (5), line 18.

Following: "all"

Strike: "arbitrators"

Insert: "parties,"

242. Amend page 29, section 13, subsection (7), line 24.

Following: "decision"

Insert: "involving tax benefits or penalties"

243. Amend page 30, section 13.

Following: line 1

Insert: "(8)(a) Upon presentation by the owner and verification by the department of administration, the governing body shall make, in addition to all others, the following value changes for savings in energy consumption. The following changes in value in homes, dwellings, or structures shall be based on proven savings in energy consumption through the efficient use of materials, location of structure, orientation, opening sizes, or other proven methods either in new or remodeled construction.

(b) The department of administration shall establish rules detailing average heat loss or gain standards for different classes of structures.

(c) The tax benefit or penalties shall be determined by determining the difference between the average heat loss for that particular type of structure and actual heat loss and applying the following percentages:

(i) Energy Savings

Savings in BTU/sq. ft. brought about through energy conservation	Reductions in taxable values in core, civic, and rural districts	Period of years
10%	2%	5
20%	4%	5

30%	6%	7
40%	8%	7
50% or over	10%	10

## (ii) Energy Gain

Gain in BTU/sq. ft. brought about through inefficient building design	Increase in taxable values in core districts	Period of Years
10%	4%	10
20%	8%	10
30%	12%	15
40%	16%	15
50%	20%	20

(d) It is the intent of the section that no deduction under this act be allowed for capital investment for an energy conservation practice in the new construction of a building if that capital investment would have been made under established standards of new construction. The department shall adopt rules to implement this legislative intent. These rules shall be based on the best currently available methods of analysis, including those of the national bureau of standards, the department of housing and urban development, and other federal agencies and professional societies and materials developed by the department. Provision shall be made for an annual updating of rules and standards as required and the readjustments subsection (1).

(9) Any provisions of this act that could affect land which was unzoned at the time of passage may be applied at the discretion of the governing body if planning in jurisdiction has commenced. Should, at the termination of planning, the plan not be accepted, the provisions of this act shall be waived. However, no tax savings or penalties on any property affected will be returned or charged to the respective landowner by its governing body.

(10) If a city or county implements the provisions of this bill and another body of government does not, the tax penalty or incentive used in the calculation of property tax shall apply county-wide on the basis of the final taxable value established by this act."

244. Amend page 30, section 15, line 11.

Following: "act"

Strike: "which has a negative or adverse taxation effect"

Insert: "that imposes a tax penalty"

245. Amend page 30, section 15, line 12.

Following: "to"

Strike: "a"

Insert: "the primary"

Following: "owned"

Insert: "and occupied"

246. Amend page 30, section 16, subsection (1), line 17.

Following: "plan,"

Strike: "the governing body or"

247. Amend page 30, section 16, subsection (1), line 18.

Following: "for"

Strike: "a variance or"

248. Amend page 31, section 16, subsection (2), lines 4 and 5.

Following: "submits"

Strike: ",

Following: "body"

Strike: ", such information as to give"

249. Amend page 31, section 16, subsection (2), line 6.

Following: "unless"

Insert: "at least two of the following criteria apply"

250. Amend page 31, section 16, subsection (2)(a), line 7.

Following: "is"

Insert: "not"

Following: "usable"

Strike: "and"

Insert: "or"

251. Amend page 31, section 16, line 8.

Following: "is"

Strike: "proposed"

Insert: "classified"

252. Amend page 31, section 16, subsection (2)(c), line 14.

Following: line 14

Insert: "or individual affected"

253. Amend page 31, section 16, line 15.

Following: "impact"

Strike: "from"

Insert: "caused by"

254. Amend page 31, section 16, subsection (3), line 21.

Following: line 21

Insert: "(4) The governing body shall act on the petition within 120 days of its receipt."

255. Amend page 32, section 17, line 2.

Following: "continued"

Insert: "without a tax change"

256. Amend page 32, section 18, line 7.

Following: "department"

Insert: "and implementation of tax benefits and penalties"

Following: "department."

Insert: "(1)"

Following: "The"

Strike: "appraised"

Insert: "taxable"

257. Amend page 32, section 18, line 10.

Following: "a"

Strike: "reclassification"

Insert: "reappraisal"

258. Amend page 32, section 18, line 13.

Following: line 13

Insert: "(2) The department of revenue and its agents shall enter any increase or decrease in taxable value required by this act on the county assessment rolls.

Section 19. There is a new R.C.M. section numbered 84-7520.1 that reads as follows:



84-7520.1. Preparation of rules. In preparing rules to implement this act, the state administering agency shall advise all local government bodies of proposed rules, consider suggestions from them, and work in conjunction with them."

259. Amend page 32, section 19, line 14.

Following: "Section"

Strike: "19"

Insert: "21" (This section is to be moved so it will follow renumbered section 20)

260. Amend page 32, section 22, line 20.

Following: "Section"

Strike: "20"

Insert: "22"

261. Amend page 32, section 21, line 22.

Following: "Section"

Strike: "21"

Insert: "20" (This section is to follow new section 19.)

262. Amend page 32, section 21, line 24.

Following: "land"

Strike: "classified"

Insert: "zoned"

263. Amend page 32, section 21, line 25 through line 2, page 33.

Following: "27,"

Strike: "into categories which are consistent with the provisions of this act as to those portions of land, this act shall be"

Insert: "or on those other portions of land specifically allowed in this act. On these portions of land the act shall become"

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman):

3/22/77

SB 9, third reading copy, be amended as follows:

1. Amend page 4, section 7, line 25.

Following: "of"

Strike: "this act"

Insert: "62-715 through 62-726"

2. Amend page 8, section 12, line 7.

Following: "in"

Strike: "this act"

Insert: "62-727 through 62-736"

3. Amend page 12, section 19, line 25.

Following: line 24

Strike: "is"

Insert: "may be"

4. Amend page 13, section 20, line 15.

Following: "crap table,"

Insert: "punchboard,"

5. Amend page 17, section 25.

Following: line 9

Insert: "Section 26. Section 94-8-431, R.C.M. 1947, is amended to read as follows:

'94-8-431. Penalty for possession or permitting use of slot machine.

Any person, partnership, club, society, fraternal order, corporation, (co-operative) cooperative association or any other person, individual, or organization who violates any of the provisions of this act(,) or who permits the use of any slot machine, as herein defined, on any place or premises owned, occupied, or controlled by him or it(, shall be) is guilty of a misdemeanor and (shall be) is punishable by a fine of not less than (one hundred dollars (\$100.00), nor) or more than (five hundred dollars (\$500.00),) \$1000 or by imprisonment in the county jail for not less than (thirty (30) days nor) 3 months or more than (six (6) months,) 1 year or by both such fine and imprisonment.”

Renumber: subsequent section

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bill and Resolution on Committee of the Whole  
in the Senate, recommended that further  
action be indefinitely postponed, report  
adopted, and returned to the House:

3/22/77

House Bill No. 443, introduced by Estenson, Meloy

House Joint Resolution No. 7, introduced by Johnston, Mular, et al

3/22/77

Senate acceded to the request of the House dated 3/21/77 and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Joint Resolution No. 68:

Senator Dunkle, Chairman  
Senator Manley  
Senator Nelson

3/23/77

Senate, on motion duly carried, requests the return of House Bill No. 760 for further consideration.

### MOTIONS

Robbins moved that the rules be suspended and that the House accept SB 445. Motion carried with  $\frac{2}{3}$ rds majority.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

HJR 94, introduced by Cooney, Courtney, Nathe, Quilici, Roth, Kvaalen, Gilligan, Vinger, Menahan, Moore, Seifert, Bengtson, Turner, Johnston, Kimble, Mular, Lynch, Stobie, Harrington, Keyser, Driscoll, Barrett, Fedal, Eudaily, Underdal, Fagg, Kessler, R. Baeth, Metcalf, Estenson, E. Gunderson, Ernst, Ellis, O'Keefe, Gould, Marks, Waldron, Brand, Hansen, Cox, Hurwitz, W. Baeth, Meloy, Manuel, Uhde, Halvorson, Williams, Sivertsen, Vincent, Hirsch, Lien, Scully, Colburn, Huennekens, Staigmiller, Hand, J. Gunderson, Robbins, Ramirez, Porter, McLane, Fabrega, Kropp, Wyrick, Kennerly, Curtiss, Gerke, Burnett, Severson, Smith, Bertelsen, Meyer, Conroy, Teague, Dassinger, Aageson, Wood, Shelden, Frates, Dussault, Harper, Kenny,

O'Connell, Pistoria, Day, Jensen, Kanduch, Bardanouve, South, Holmes, Bradley, Ellison, Lund, Ellerd. Referred to Committee on Natural Resources.

The following Senate bill was introduced, read first time and referred to committee:

SB 167, introduced by Rasmussen, Hager, Brown, Roberts, Kolstad, Jergeson, Lensink, Stephens, Blaylock, Warden. Referred to Committee on Natural Resources.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 101 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Sivertsen, Smith, South, Stobie, Tower, Turner, Vincent, Vinger, Wood, Wyrick, Mr. Speaker.

Total 77

Noes: Conroy, Feda, Frates, Gerke, Hand, Harper, Kenny, Kimble, Lory, Meloy, Pistoria, Ryan, Scully, Shelden, Staigmiller, Teague, Tropila, Underdal, Waldron, Williams.

Total 20

Paired: Marks, Aye; Gerke, No.

Excused: Kennerly, Palmer, Uhde.

Total 3

Absent or not voting: None.

Total 0

Senate Bill No. 203 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Ellison, Keyser, Ryan, Stobie, Teague.

Total 5

Excused: Kennerly, Marks, Palmer, Uhde.

Total 4



Absent or not voting: None.

Total 0

Senate Bill No. 223 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Marks, Palmer, Uhde.

Total 4

Absent or not voting: Lynch.

Total 1

Senate Bill No. 231 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Kennerly, Marks, Palmer, Uhde.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 241 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund,



Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Marks, Palmer, Uhde.

Total 4

Absent or not voting: Harrington.

Total 1

Senate Bill No. 301 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Kennerly, Marks, Palmer, Uhde.

Total 4

Absent or not voting: None.

Total 0

Senate Bill No. 331 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Kenny.

Total 1

Excused: Kennerly, Marks, Palmer, Uhde.

Total 4

Absent or not voting: Davis, Harrington.

Total 2

Senate Bill No. 366 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Marks, Palmer, Uhde.

Total 4

Absent or not voting: Scully.

Total 1

Senate Bill No. 403 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Curtiss, Severson, Stobie, Vinger.

Total 4

Excused: Kennerly, Marks, Palmer, Uhde.

Total 4

Absent or not voting: Ellison.

Total 1

Meloy moved that SB 421 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 238 be not concurred in. (64-33)

That SB 27 be concurred in. (80-1)

That SB 33 be concurred in. (79-0)

That SB 34 be concurred in. (82-1)

Marks present at this time.

That SB 53 be concurred in. (52-25)

That SB 118 be concurred in. (81-0)

That SB 182 be concurred in. (80-4)

That SB 202 be concurred in. (88-1)

That SB 385 be passed for the day.

That SA to HB 4 be concurred in. (46-44)

That SA to HB 43 be concurred in. (80-6)

That SA to HB 77 be concurred in. (80-3)

That SA to HB 80 be passed for the day.

That SA to HB 96 be concurred in. (84-2)

That SA to HB 113 be concurred in. (78-4)

That SA to HB 116 be concurred in. (71-8)

That SA to HB 150 be not concurred in. (71-11)

That SA to HB 178 be concurred in. (76-3)

That SA to HB 182 be placed below SA to HB 352.

That SA to HB 226 be concurred in. (78-0)

That SA to HB 301 be concurred in. (82-4)

That SA to HB 352 be passed for the day.

That SA to HB 182 be not concurred in. (75-3)

That SA to HB 379 be concurred in. (74-6)

That SA to HB 414 be placed below SA to HB 607.

That SA to HB 476 be concurred in. (82-0)

That SA to HB 516 be placed below SA to HB 414.

That SA to HB 526 be concurred in. (83-0)

That SA to HB 551 be passed for the day.

Meloy replaced Gerke in the Chair.

That SA to HB 607 be concurred in. (83-0)

That SA to HB 516 be concurred in. (86-0)

That SA to HB 414 be concurred in. (87-0)

That SA to HB 612 be not concurred in. (80-6)

That SA to HB 685 be concurred in. (85-0)

That SA to HB 757 be concurred in. (83-0)

That SA to HB 759 be concurred in. (80-0)

That SA to HB 763 be concurred in. (81-0)

That SA to HB 815 be concurred in. (82-1)

That SA to HJR 21 be not concurred in. (82-2)

That HJR 36 be placed below HJR 60.

That HJR 60 be concurred in. (71-7)

That HJR 36 be passed for the day.

That the Conference Committee Report on SJR 3 be adopted. (76-9)

That the Governor's Amendments to HB 196 be concurred in. (80-6)

That the committee rise and report. (Meloy, Chairman)

Vincent moved that SA to HB 4 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/23/77

Correctly enrolled - HB 62.

Examined by Sponsors and found to be correct - HB 19, HB 26, HB 104, HB 101, HB 111, HB 221, HB 227, HB 230, HB 237, HB 244, HB 273, HB 291, HB 314, HB 339, HB 343, HB 430, HB 497, HB 535, HB 540, HB 542, HB 581, HB 591, HB 656, HJR 27, HJR 29, HJR 41.

Will be signed by the Speaker on adjournment, 3/23/77 - HB 19, HB 26, HB 101, HB 104, HB 111, HB 221, HB 227, HB 230, HB 237, HB 244, HB 273, HB 291, HB 314, HB 339, HB 343, HB 430, HB 497, HB 535, HB 540, HB 542, HB 581, HB 591, HB 656, HJR 27, HJR 29, HJR 41, SB 38, SB 117, SB 199.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 2:30 p.m., 3/23/77 - HB 42, HB 57, HB 97, HB 99, HB 256, HB 288, HB 323, HB 328, HB 331, HB 362, HB 376, HB 395, HB 396, HB 417, HB 418, HB 436, HB 586.

STATE ADMINISTRATION (Brand, Chairman)

3/23/77

SB 162, third reading copy, be amended as follows:

1. Amend page 8, section 4, subsection (1), line 5.

Following: "(months)"

Strike: "1 month"

Insert: "6 months"

2. Amend page 9, section 5, line 15.

Following: "(1 year)"

Strike: "15"

Insert: "22"



3. Amend page 12, section 9, line 14.

Following: "completed"

Strike: "1 month"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 179, third reading bill, be amended as follows:

1. Amend page 2, section 2, line 1.

Following: "title"

Strike: ", section 1 of this act,"

2. Amend page 2, section 2, line 3.

Following: "for"

Strike: "the above amendment to allow"

Insert: "allowing"

3. Amend page 2, section 2, line 6.

Following: "against"

Strike: "the above amendment, to continue the prohibition on"

Insert: "allowing"

4. Amend page 2, section 2, line 9.

Strike: "being a"

Insert: "to be"

And as amended, be concurred in. Report adopted.

SB 265, be concurred in. Report adopted.

SB 336, third reading copy, be amended as follows:

1. Amend page 1, line 23 through page 4, line 8.

Following: line 22

Strike: sections 1 and 2 in their entirety

Renumber: subsequent section

2. Amend page 4, section 3, subsection (1), line 23.

Following: "years."

Insert: "Military service purchased under this section may not be used in the determination of eligibility for a service retirement requiring a minimum of 20 years service."

And as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman):

3/23/77

SB 284, be not concurred in.

SB 298, be concurred in. Report adopted.

HJR 90, do pass. Report adopted.

SJR 4, third reading copy, be amended as follows:

1. Amend title, lines 7 through 10.

Following: "study"

Strike: "alternative forms for the administration of state forestry laws affecting loggers, sawmills, and private landowners and to determine if additional laws are needed"

Insert: "the problems experienced by timber landowners in harvesting and managing their forest land holdings and to provide legislative solutions as necessary"

2. Amend page 1, lines 17 through 24.

Following: "whereas,"

Strike: lines 17 through 24 in their entirety

Insert: "under present laws and regulations, many farmer-rancher timber landowners are unable to successfully manage their forest resource; and

WHEREAS, these timber landowners should have an opportunity to express their problems and to obtain solutions to them."

3. Amend page 2, line 17.

Following: "Senators"

Insert: "from timber-oriented areas"

4. Amend page 2, line 18.

Following: "Representatives"

Insert: "from timber-oriented areas"

5. Amend page 2, lines 19 through 23.

Following: "study"

Strike: "alternative forms for the administration of state forestry statutes, giving particular consideration to a board representing various interests and concerns within the industry and support of a regulatory program through special levies on the industry"

Insert: "the problems experienced by timber landowners in harvesting and managing their forest land holdings. The committee shall work with the office of the State Forester"

6. Amend page 3.

Following: line 3

Insert: "BE IT FURTHER RESOLVED, that the select committee shall also study state fire protection assessments and state timber taxation; and"

7. Amend page 3, line 6.

Following: "industry"

Strike: "and of private persons"

Insert: "and particularly of small timber landowners"

Following: "meetings"

Strike: "outside of"

Insert: "in areas where small timber landowners reside"

And as amended, be concurred in. Report adopted.

SJR 42, third reading copy, be amended as follows:

1. Amend title, lines 6 and 7.

Following: "research of the"

Insert: "economic"

2. Amend page 2, line 10.

Following: "determine the"

Insert: "economic"

3. Amend page 2, line 20.

Following: "through the"

Strike: "Western Governors' Energy Conference"

Insert: "Old West Regional Commission"

4. Amend page 3, line 1.

Following: "to"

Insert: "the United States Secretary of Agriculture, the Montana congressional delegation,"

And as amended, be concurred in. Report adopted.

**MESSAGES FROM THE OTHER HOUSE**

Bills concurred in as amended by the Senate,  
and returned to the House for concurrence  
in Senate Amendments:

3/23/77

House Bill No. 73, introduced by Ramirez

House Bill No. 175, introduced by Driscoll

House Bill No. 236, introduced by Harper (by request)

House Bill No. 308, introduced by Mular, Brand, Marks, et al

House Bill No. 583, introduced by Ramirez, Day

House Bill No. 664, introduced by Day (by request)

House Bill No. 755, introduced by Conroy, Day, Lien

Bills and Resolutions concurred in by the Senate  
and returned to the House:

3/23/77

House Bill No. 95, introduced by Fagg, Williams (by request)

House Bill No. 373, introduced by Fagg, Marks

House Bill No. 490, introduced by Nathe (by request)

House Bill No. 514, introduced by Menahan (by request)

House Bill No. 669, introduced by Day, Bengtson, Conroy, et al

House Bill No. 709, introduced by Menahan

House Bill No. 736, introduced by Menahan (by request)

House Joint Resolution No. 47, introduced by Kimble, Waldron, et al

House Joint Resolution No. 54, introduced by Meloy, Mular, Gilligan,  
et al

Bills on Committee Report in the Senate, not  
concurred in, report adopted, and  
returned to the House:

3/23/77

House Bill No. 119, introduced by Bradley, Dussault, et al

House Bill No. 616, introduced by Fabrega, Moore

3/23/77

Senate, on motion duly carried, requests the return of House Joint Resolu-  
tion No. 7 for further consideration.

**MOTIONS**

Shelden moved that SJR 42 be rereferred from Second Reading to the  
Committee on Appropriations. Motion carried.

Meloy moved that the Speaker be authorized to appoint conference  
committees of three to meet with like committees from the Senate to  
confer on Senate Amendments to: HB 150 and HB 182. Motion carried.

Meloy moved that the Speaker be authorized to appoint free conference  
committees of three to meet with like committees from the Senate to  
confer on: HB 612 and HJR 21. Motion carried.

Ramirez moved that consideration of SB 385 be passed until the 69th  
Legislative Day. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., March 24, 1977.

Motion carried.

House adjourned at 4:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SIXTY-EIGHTH LEGISLATIVE DAY

Helena, Montana  
March 24, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker Pro Tem Brand in the Chair. Invocation by Reverend John Robertson, Diocese of Helena. Pledge of Allegiance to the Flag.

Roll call. All members present except Driscoll, Kennerly, and Shelden, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 150: Bradley, Chairman; Estenson, and Fagg.

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 182: Meloy, Chairman; Bradley, and Fagg.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on House Bill 612: Scully, Chairman; Cooney, and Keyser.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on House Joint Resolution 21: Ryan, Chairman; O'Connell and Fabrega.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/24/77  
Correctly printed - HJR 90.

Were signed by the Speaker on adjournment, 3/23/77 - HB 19, HB 26, HB 101, HB 104, HB 111, HB 221, HB 227, HB 230, HB 237, HB 244, HB 273, HB 291, HB 314, HB 339, HB 343, HB 430, HB 497, HB 535, HB 540, HB 542, HB 581, HB 591, HB 656, HJR 27, HJR 29, HJR 41, SB 38, SB 117, SB 199.

Will be signed by the Speaker on adjournment, 3/24/77 - HB 62, HB 349, HB 472, HB 529, HB 546, SB 46, SB 47, SB 94, SB 133, SB 174, SB 220, SB 272, SB 281, SB 288, SB 321, SB 334, SB 398, SB 414.

Correctly enrolled - HB 349, HB 408, HB 472, HB 529, HB 546.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:40 a.m., 3/24/77 - HB 34.

Examined by Sponsors and found to be correct - HB 62, HB 349, HB 472, HB 529, HB 546.

BUSINESS AND INDUSTRY (Vincent, Chairman): 3/24/77  
SB 370, be concurred in. Report adopted.

FISH AND GAME (Staigmilller, Chairman): 3/24/77

SB 242, be not concurred in.

STATE ADMINISTRATION (Brand, Chairman):

3/24/77

SB 440, be not concurred in.

EDUCATION (Dussault, Chairman):

3/24/77

HB 365, taken from second reading and referred back to the Education Committee, was stripped of its February 21, 1977, Committee on Education amendments and returned to its introduced form, and as amended, do pass. Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 627 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmilller, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker Pro Tem.

Total 82

Noes: Barrett, Colburn, Conroy, Moore, Porter, Robbins, Smith, Stobie, Teague, Tower, Tropila, Vinger, Wyrick.

Total 13

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Dassinger, Turner.

Total 2

House Bill No. 735 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 96

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Dassinger.

Total 1

Senate Bill No. 33 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 95

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Dassinger, Turner.

Total 2

Senate Bill No. 34 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 96

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Dassinger.

Total 1

Senate Bill No. 286 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory,



Lund, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams.

Total 80

Noes: Colburn, Davis, Day, Ellerd, Gould, Jensen, McLane, Smith, Stobie, Vinger, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 13

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Dassinger, Hansen, Lynch, Roth.

Total 4

Governor's Amendments to House Bill No. 196 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 93

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Courtney, Dassinger, Gerke, O'Connell.

Total 4

Senate Amendments to House Bill No. 43 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 92

Noes: Harper, Tropila, Waldron.

Total 3



Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Dassinger, Gerke.

Total 2

Senate Amendments to House Bill No. 77 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 93

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Dassinger, Ellerd, Gerke, Kropp.

Total 4

Senate Amendments to House Bill No. 96 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 91

Noes: Courtney, Ernst, Waldron.

Total 3

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Bardanouve, Burnett, Gerke.

Total 3

Senate Amendments to House Bill No. 113 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger,

Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 93

Noes: Uhde, Waldron.

Total 2

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Bardanouve, Gerke.

Total 2

Senate Amendments to House Bill No. 116 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Severson, South, Staigmiller, Teague, Tower, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker Pro Tem.

Total 79

Noes: Hand, McLane, Meyer, Scully, Seifert, Sivertsen, Smith, Stobie, Tropila, Uhde.

Total 10

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Cox, Curtiss, Ellerd, Gerke, Manuel, Turner, Vinger, Wyrick.

Total 8

Senate Amendments to House Bill No. 178 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 94

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Ellerd, Gerke, Severson.

Total 3

Senate Amendments to House Bill No. 226 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 92

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Courtney, Cox, Ellerd, Gerke, Severson.

Total 5

Senate Amendments to House Bill No. 301 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 93

Noes: Cooney, Jensen, Porter.

Total 3

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Gerke.

Total 1

Senate Amendments to House Bill No. 379 were concurred in by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 93

Noes: Jensen, Smith, Turner.

Total 3

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Gerke.

Total 1

Senate Amendments to House Bill No. 414 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 93

Noes: Burnett, Uhde.

Total 2

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Ellerd, Gerke.

Total 2

Senate Amendments to House Bill No. 476 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller,



Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 90

Noes: Davis, Nathe, Porter, Vinger.

Total 4

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Cox, Gerke, Gould.

Total 3

Senate Amendments to House Bill No. 516 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 94

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Gerke, Scully, Smith.

Total 3

Senate Amendments to House Bill No. 526 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 93

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Cox, Ellison, Gerke, O'Keefe.

## Total 4

Senate Amendments to House Bill No. 607 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 95

Noes: Stobie.

Total 1

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Gerke.

Total 1

Senate Amendments to House Bill No. 685 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 95

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Gerke, Kropp.

Total 2

Senate Amendments to House Bill No. 757 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington,

Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 93

Noes: Jensen, Teague, Vinger.

Total 3

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Gerke.

Total 1

Senate Amendments to House Bill No. 759 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Staigmillar, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 86

Noes: Frates, Hansen, Jensen, Smith, Stobie, Turner, Vinger.

Total 7

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Gerke, Johnston, Roth, South.

Total 4

Senate Amendments to House Bill No. 763 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 94

Noes: Uhde.

Total 1



Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Gerke, Roth.

Total 2

Senate Amendments to House Bill No. 815 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker Pro Tem.

Total 94

Noes: None.

Total 0

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Gerke, Gould, Roth.

Total 3

Senate Amendments to House Joint Resolution No. 60 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker Pro Tem.

Total 81

Noes: Burnett, Ernst, Hansen, Kenny, Kropp, Smith, Stobie, Tower, Turner, Wood.

Total 10

Excused: Driscoll, Kennerly, Shelden.

Total 3

Absent or not voting: Davis, Estenson, Gerke, Gould, Pistoria, Roth.

Total 6

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.



Keyser in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 9 be passed for the day.

That SB 162 be passed to the 71st Legislative Day.

That SB 179 be concurred in. (80-5)

That SB 265 be concurred in. (81-1)

That SB 298 be placed below HJR 93.

That SB 336 be concurred in. (83-1)

That SJR 4 be amended as follows:

1. Amend amendment number 5, insertion paragraph, line 3.

Following: "with the"

Strike: "office of the State Forester"

Insert: "division of forestry, department of natural resources and conservation" (74-6)

And as amended, be passed for the day.

That HJR 93 do pass. (75-11)

That SB 298 be concurred in. (85-0)

That SA to HB 4 be not concurred in. (65-32)

That SA to HB 80 be concurred in. (78-3)

That SA to HB 308 be concurred in. (72-2)

That SA to HB 352 be not concurred in. (78-1)

That SA to HB 551 be concurred in. (75-0)

That SA to HJR 36 be concurred in. (78-0)

That SA to HB 73 be concurred in. (77-3)

That SA to HB 175 be passed for the day.

That SA to HB 236 be concurred in. (80-0)

That SA to HB 583 be concurred in. (77-1)

That SA to HB 664 be not concurred in. (80-0)

That SA to HB 755 be concurred in. (80-0)

That the committee rise and report. (Keyser, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Examined by Sponsor and found to be correct - HB 408.

### MESSAGES FROM THE OTHER HOUSE

Conference Committee Report adopted by the Senate  
on roll call vote:

3/24/77

Conference Committee Report on Senate Joint Resolution No. 3

### MOTIONS

Scully moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 352. Motion carried.

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 4. Motion carried.

Day moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on House Bill 664. Motion carried.

### REPORTS OF SELECT COMMITTEES

#### JOINT CONFERENCE COMMITTEE

##### ON HOUSE BILL NO. 41

Report No. 1, March 23, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 41, met March 23, 1977, and considered:

Senate Committee of the Whole Amendments dated March 9, 1977, and recommend as follows:

Having had under consideration Senate Committee of the Whole Amendments dated March 9, 1977,

That the Senate recede from amendment numbers 1 and 2, reading as follows:

1. Amend page 9, section 5, line 3.

Following: "limitations"

Insert: "unless it is established on the record of a contested case hearing that an additional license or licenses would reasonably serve the public convenience and necessity"

2. Amend page 14, section 6, line 22.

Following: "(:)"

Insert: "unless it is established on the record of a contested case hearing that an additional license or licenses would reasonably serve the public convenience and necessity"

(Material in parentheses denotes cancelled type.)

and that House Bill No. 41 be concurred in.

FOR THE SENATE:

HEALY, Chairman  
JERGESON  
TURNAGE

FOR THE HOUSE:

TROPILA  
MARKS  
LYNCH

Report adopted.

Meloy moved that the House adjourn until 1:30 p.m., March 25, 1977.

Motion carried.

House adjourned at 3:20 p.m.

JOE BRAND, Speaker Pro Tem

MARTHA B. McGEE, Chief Clerk







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House Journal  
Volume III

**HOUSE JOURNAL**  
**OF THE**  
**Forty-Fifth Legislature**  
**OF THE**  
**STATE OF MONTANA**

**VOLUME III**

MONTANA LEGISLATIVE COUNCIL  
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**Held at Helena, the Seat of Government of Said State,  
Commencing in Regular Session January 3, 1977, and  
Ending April 19, 1977.**

**JOHN B. DRISCOLL**  
Speaker of the House

**Martha McGee**  
Chief Clerk of the House

**Linda Barrett**  
Journal Clerk

**PUBLISHED BY**  
**THE MONTANA LEGISLATIVE COUNCIL**





## SIXTY-NINTH LEGISLATIVE DAY

Helena, Montana  
March 25, 1977

MONTANA LEGISLATIVE COUNCIL  
LIBRARY

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Reverend John Robertson, Diocese of Helena. Pledge of Allegiance to the Flag.

Roll call. All members present except Colburn, Kropp, Shelden, excused; Ellison, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 4: Huennekens, Chairman; Vincent and Aageson.

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 352: Scully, Chairman; Quilici and Lory.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on House Bill 664: Day, Chairman; Scully and Ellison.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/25/77

Considered correctly engrossed - HJR 93.

Correctly printed - HB 365, HB 630.

Correctly enrolled - HB 95, HB 373, HB 476, HB 490, HB 514, HB 669, HB 709, HB 736, HJR 47, HJR 54.

Will be signed by the Speaker on adjournment, 3/25/77- HB 373, HB 476, HB 514, HB 699, HB 736, HJR 54.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:00 a.m., 3/25/77. - HB 19, HB 26, HB 101, HB 104, HB 111, HB 221, HB 227, HB 230, HB 237, HB 244, HB 273, HB 291, HB 314, HB 339, HB 343, HB 430, HB 497, HB 535, HB 540, HB 542, HB 581, HB 591, HB 656.

Will be signed by the Speaker on adjournment, 3/25/77 - HB 47, HB 95, HB 490, HB 709, SB 2, SB 30, SB 92, SB 218.

Were signed by the Speaker on adjournment, 3/24/77 - HB 62, HB 349, HB 408, HB 472, HB 529, HB 546, SB 46, SB 47, SB 94, SB 133, SB 174, SB 220, SB 272, SB 281, SB 288, SB 321, SB 334, SB 398, SB 414.

Objection raised by Bardanouve on 3/25/77 on adverse committee report on SB 440. Referred to Second Reading.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

3/25/77

Recommend that at the close of business March 22, 1977 the following be terminated:

Gail Kuntz .....Researcher

At the close of business March 23, 1977, the following also be terminated:

Franklin G. Taylor .....Proofreader

At the close of business March 24, 1977, the following also be terminated:

Carolyn Erhardt .....Secretary

At the close of business March 25, 1977, the following also be terminated:

James Gardner .....Research Attorney

Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman): 3/25/77

SB 289, be concurred in. Report adopted.

SB 390, be concurred in. Report adopted.

SB 291, be concurred in. Report adopted.

SB 292, be concurred in. Report adopted.

SB 293, be concurred in. Report adopted.

SB 294, be concurred in. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY

(Menahan, Chairman):

3/25/77

HJR 92, introduced copy, be amended as follows:

1. Amend page 2, line 19.

Following: "Delegation,"

Insert: "Congressman James Martin of North Carolina,"

And as amended, do pass. Report adopted.

SB 355, be not concurred in.

SB 399, third reading copy, be amended as follows:

1. Amend page 1, section 1, line 25.

Following: "include"

Strike: "operative"

2. Amend page 2, section 1, line 4.

Following: "mechanical,"

Insert: "and"

Following: "dietetic"

Strike: ", and other such"

And as amended, be concurred in. Report adopted.

SB 425, third reading copy, be amended as follows:

1. Amend page 2, section 1, line 20.

Following: "chiropractic"

Insert: "as a condition to the practice of their profession"

And as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Brand, Chairman):

3/24/77

SB 401, third reading copy, be amended as follows:

1. Amend title, line 9.

Following: "75-8207,"

Strike: "82-1201, 82-1202, 82-1202.1, 82-1208, 82-1209, 82-1229, 82-1232,"

2. Amend page 6, section 3, subsection (1), line 19.

Following: "department"

Insert: "and the state fire marshal"

3. Amend page 7, section 3, subsection (3), line 5.

Following: "adopted"

Strike: "and a plan for enforcement of the code have been approved by the department"

Insert: "has been approved by the department and a plan for the enforcement of the code has been filed with the department and the state fire marshal"

4. Amend pages 8 through 15, sections 5 through 10, line 3 on page 8 through line 15 on page 15.

Strike: sections 5 through 10 in their entirety

Renumber: subsequent sections

5. Amend page 23, section 17, subsection (1), line 21.

Following: "administration"

Insert: "and the state fire marshal"

6. Amend page 24, section 17, subsection (2), line 5.

Following: "administration"

Insert: "and the state fire marshal"

7. Amend page 25, section 19, line 11.

Following: "administration —"

Strike: "sole"

8. Amend page 25, section 19, line 13.

Following: "except"

Insert: "the state fire marshal and"

9. Amend page 25, section 19, line 14.

Following: "69-2105."

Insert: "The state fire marshal shall assign personnel to the department to review building plans and regulations for conformity with rules promulgated by the state fire marshal and the department of administration."

10. Amend pages 25, 26, and 27, section 20, line 15 on page 25 through line 4 on page 27.

Strike: section 20 in its entirety

Renumber: subsequent sections

And as amended, be not concurred in. Report adopted.

Objection raised by Lien on 3/24/77 on adverse committee report on SB 401. Referred to Second Reading.

On motion by Harper, and in accordance with the 24-hour rule, the adverse committee report on SB 284 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Dassinger, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston,

Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Meloy, Menahan, Metcalf, Meyer, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Sivertsen, South, Staigmilller, Teague, Uhde, Vincent, Williams, Mr. Speaker.  
Total 67

Noes: Curtiss, Davis, Ernst, Hand, Keyser, McLane, Manuel, Moore, Mular, Smith, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Wood.  
Total 17

Excused: Colburn, Kropp, Shelden.  
Total 3

Absent or not voting: Barrett, Cox, Day, Ellison, Marks, Nathe, Palmer, Pistoria, Roth, Scully, Severson, Waldron, Wyrick.  
Total 13

On motion by Staigmilller, and in accordance with the 24-hour rule, the adverse committee report on SB 242 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Seifert, Sivertsen, Smith, South, Staigmilller, Stobie, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 78

Noes: Gould, Harper, Manuel, Metcalf, Moore, Severson, Teague, Tower, Tropila, Turner.  
Total 10

Excused: Colburn, Kropp, Shelden.  
Total 3

Absent or not voting: Barrett, Day, Ellison, Huennekens, Mular, Robbins, Roth, Scully, Waldron.  
Total 9

#### AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman):

3/23/77

SB 165, third reading bill, be amended as follows:

1. Amend page 6, section 4, lines 23 and 24.

Following: "(body)"

Strike: "board of county commissioners"

Insert: "governing body"

2. Amend page 8, section 4, line 6.

Following: "or"

Strike: "county commissioners"

Insert: "local governing body"

3. Amend page 8, section 4, line 9.

Following: "(body)"

Strike: "board of county commissioners"

Insert: "governing body"



4. Amend page 10, section 8, lines 8 and 9.

Following: "The"

Strike: "board of county commissioners"

Insert: "governing body of the county"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 194, be concurred in. Report adopted.

SB 209, third reading bill, be amended as follows:

1. Amend title, line 7.

Following: line 6

Strike: "salinity"

Insert: "quality"

And as amended, be concurred in. Report adopted.

SB 239, be concurred in. Report adopted.

Examined by Sponsors and found to be correct - HB 47, HB 95,  
HB 373, HB 476, HB 490, HB 514, HB 709, HB 736, HJR 54.

### REPORTS OF SELECT COMMITTEES

#### FREE JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 46

Report No. 1, March 24, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 46, met March 24, 1977, and considered:

Senate Committee on Judiciary Amendments dated March 9, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 9, 1977,

That the House accede to amendment numbers 1 through 4,

And that the Conference Committee Report on House Bill No. 46 be adopted.

FOR THE HOUSE:

HALVORSON  
GILLIGAN  
KVAALEN

FOR THE SENATE:

TOWE  
ROBERTS  
MURRAY

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bill and resolution concurred in by the Senate  
and returned to the House:

3/24/77

House Bill No. 202, introduced by Scully, Ramirez

House Joint Resolution No. 49, introduced by Aageson, Roth, Sivertsen,  
et al

Bills and resolutions concurred in as amended  
by the Senate, and returned to the House  
for concurrence in Senate Amendments:

3/24/77

House Bill No. 148, introduced by Ellerd, Bertelsen, Curtiss, et al

House Bill No. 468, introduced by Ellis, Aageson, Curtiss, et al

House Joint Resolution No. 10, introduced by Seifert, Ellison, Jensen, et al

Bill on Committee of the Whole in the Senate,  
recommended that further action be  
indefinitely postponed, report adopted,  
and returned to the House:

3/24/77

House Bill No. 344, introduced by Gunderson, Dassinger, Day, et al

House Amendments to the following Senate Bills  
concurred in by the Senate:

3/24/77

Senate Bill No. 111, introduced by Senator Mathers

Senate Bill No. 131, introduced by Senator McOmber, et al

Senate Bill No. 132, introduced by Senator McOmber, et al

Senate Bill No. 389, introduced by Senator Fasbender and Senator  
Stephens

3/24/77

Senate Bill No. 238, requiring adoption by an affirmative roll call vote  
of two-thirds of all the members of the legislature, was returned to  
the Senate in error on March 23, 1977, before it had passed third  
reading in the House. The bill is returned herewith to the House to  
consider on third reading.

### MOTIONS

Day and Roth excused at this time.

Meloy moved that the free conference committee on HB 612 be dissolved  
and that a new free conference committee be appointed on HB 612 with  
special consideration being given to Representative Brand. Motion carried.

Meloy moved that the House accede to the request of the Senate and  
return HB 760 and HJR 7 for further consideration. Motion carried.

Brand moved that SB 336 be rereferred from Reference Printing to  
Second Reading. Motion carried.

Marks moved that the House reconsider its action taken today in adopt-  
ing the adverse committee report on SB 284. Motion carried.

### REPORTS OF STANDING COMMITTEES

TAXATION (Huennekens, Chairman):  
HB 825, do not pass.

3/25/77

### THIRD READING OF BILLS

The following bills having been read three several times, title and his-  
tory agreed to, were disposed of in the following manner:

Senate Bill No. 118 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley,  
Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger,  
Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg,  
Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson,

Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Colburn, Day, Kropp, Roth, Shelden.

Total 5

Absent or not voting: Bardanouve, Ellison, Gerke, Harrington, Kvaalen.

Total 5

Senate Bill No. 182 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmler, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Brand, Stobie.

Total 2

Excused: Colburn, Day, Kropp, Roth, Shelden.

Total 5

Absent or not voting: Bardanouve, Ellison, Kvaalen, Tower.

Total 4

Senate Bill No. 238 failed to pass by the following vote:

Ayes: Bertelsen, Brand, Conroy, Cox, Curtiss, Dassinger, Davis, Ellerd, Ernst, Fedas, Hurwitz, Johnston, Lien, Lund, Marks, Moore, Pistoria, Robbins, Seifert, Severson, Sivertsen, Smith, Vinger, Wood, Wyrick.

Total 25

Noes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Burnett, Cooney, Courtney, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Ryan, Scully, South, Staigmler, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 65

Paired: Lien, Aye; Holmes, No.



Excused: Colburn, Day, Kropp, Roth, Shelden.

Total 5

Absent or not voting: Bardanouve, Ellison, Kvaalen, Tower, Turner.

Total 5

Senate Bill No. 265 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Jensen.

Total 1

Excused: Colburn, Day, Kropp, Roth, Shelden.

Total 5

Absent or not voting: Bardanouve, Ellison, Kvaalen, Lien, Tower.

Total 5

Senate Bill No. 298 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Hansen, Stobie, Teague, Vinger.

Total 4

Excused: Colburn, Day, Kropp, Roth, Shelden.

Total 5

Absent or not voting: Bardanouve, Ellison, Kvaalen, Lien, Tower.

Total 5

Senate Bill No. 365 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly,



Kenny, Kessler, Keyser, Kimble, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Burnett, Smith.

Total 2

Excused: Colburn, Day, Kropp, Roth, Shelden.

Total 5

Absent or not voting: Ellison, Gerke, Kvaalen, Lien, Marks, Tower.

Total 6

Waldron excused at this time.

Senate Bill No. 426 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellerd, Ellison, Gerke, Kvaalen, Marks, Tower.

Total 6

Senate Amendments to House Bill No. 73 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellerd, Ellison, Gerke, Harrington, Kvaalen, McLane, Severson, Tower.

Total 8

Senate Amendments to House Bill No. 80 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Brand, Jensen, Vinger.

Total 3

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellerd, Ellison, Gerke, Kvaalen, Marks, Scully, Severson.

Total 7

Senate Amendments to House Bill No. 236 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellerd, Ellison, Gerke, Huennekens, Kvaalen, Lund, Marks, Scully.

Total 8

Senate Amendments to House Bill No. 308 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lynch, McLane, Manuel, Meloy, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Turner, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 77

Noes: Brand, Harper, Menahan, Mular, Nathe, Tropila, Uhde, Vinger.

Total 8

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellerd, Ellison, Gerke, Harrington, Kvaalen, Lund, Marks, Scully, Severson.

Total 9

Senate Amendments to House Bill No. 551 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: None.

Total 0

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellerd, Ellison, Gerke, Kvaalen, Marks, Scully.

Total 6

Senate Amendments to House Joint Resolution No. 36 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.



Total 86

Noes: Bardanouve.

Total 1

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellison, Gerke, Johnston, Kvaalen, Marks, Scully, Sivertsen.

Total 7

Senate Amendments to House Bill No. 583 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellison, Gerke, Kvaalen, Marks, Scully.

Total 5

Senate Amendments to House Bill No. 755 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: J. Gunderson, Uhde.

Total 2

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellison, Gerke, Kvaalen, Marks, Scully.

Total 5



Conference Committee Report on Senate Joint Resolution No. 3 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Bertelsen.

Total 1

Excused: Colburn, Day, Kropp, Roth, Shelden, Waldron.

Total 6

Absent or not voting: Ellison, Gerke, Kvaalen, Marks, Scully, Smith.

Total 6

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion Carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 385 be concurred in. (73-8)

That SB 9 be passed to the 70th Legislative Day.

That SJR 4 be not concurred in. (53-24)

That HJR 90 do pass. (83-0)

Waldron present at this time.

O'Connell moved for a call of the House. Sufficient seconds arose and a call of the House was ordered. Sufficient progress having been shown, Menahan moved that the call of the House be removed. Menahan's motion carried by the necessary two-thirds majority. (83-6)

That SB 370 be amended as follows:

1. Amend pages 2 and 3, section 1, subsections 3 through 6, lines 13 through 15 on page 2.

Strike: subsections 3 through 6 in their entirety

Insert: "(3) The commission shall select a chairman from its membership at the first meeting of each odd-numbered year.

- (4) The term of office shall be 4 years beginning on the first Monday of January of the year of appointment."

## 2. Amend page 4.

Following: line 14

Insert: "Section 3. There is a new R.C.M. section that reads as follows:

Public service commissioners nominating committee. (1) There is a public service commissioners nominating committee which shall provide the governor with a list of three candidates for nominee to fill any vacancy on the public service commission.

(2) The committee consists of seven members as follows:

- (a) one member appointed by the supreme court;
- (b) one member appointed by the legislative consumer committee;
- (c) one member appointed by the governor;
- (d) one member appointed by the majority leader in the house of representatives;
- (e) one member appointed by the majority leader in the senate;
- (f) one member appointed by the minority leader in the house; and
- (g) one member appointed by the minority leader in the senate.

(3) Members shall serve terms of 4 years.

(4) In the event a vacancy occurs on the committee, a replacement shall be selected for the remainder of the term by the appointing authority.

(5) One member shall be selected as secretary of the committee and shall keep a record of all proceedings of the committee.

(6) Four members constitute a quorum for the transaction of business. To submit a name to the governor, there must be a concurrence of at least four members.

(7) A member of the committee is not eligible for nomination as a public service commissioner during his term on the committee or for 1 year thereafter.

(8) Members of the committee are not entitled to compensation for their services but are entitled to travel expenses in accordance with 59-538, 59-539, and 59-801.

Section 4. There is a new R.C.M. section that reads as follows:

Selection of candidates. (1) The committee shall meet immediately after a vacancy occurs on the public service commission and submit to the governor within 30 days from the date of the vacancy a list of three persons.

(2) Any qualified elector may apply to the committee for consideration.

(3) The committee shall consider each applicant's education, experience, and training and select the names of the three most qualified applicants for each vacant position.

(4) The governor shall make one nomination from the three names submitted.

Section 5. There is a new R.C.M. section that reads as follows:

Confirmation by legislature. Each nomination shall be confirmed by the senate and house of representatives, but a nomination made while the legislature is not in session is effective as a confirmed appointment. Until the end of the next session, if the nomination is not confirmed, the office is vacant and another selection and nomination shall be made.

Section 6. There is a new R.C.M. section that reads as follows:

Election vote of confidence. At the first general election, after confirmation the name of the public service commissioner shall be placed on the ballot to allow voters of the state to approve or reject him.

Section 7. There is a new R.C.M. section that reads as follows:

Transition schedule. (1) After the effective date of this act, a vacancy on the public service commission shall be filled in accordance with this act for the unexpired term of the member replaced.

(2) A person serving as a member of the commission on the effective date of this act shall serve for the remainder of this term and until his successor is nominated and confirmed.

(3) The governor shall designate the terms of the first two members appointed under this act to replace a member whose term has expired so that the term of one member commences on the first Monday of January, 1979, and continues for a term of 2 years and the term of the other member commences on the first Monday of January, 1979, and continues for a term of 4 years. The third member shall be appointed by the governor (who will hold office in 1981) for a term commencing on the first Monday of January, 1981, and the term continues for a period of 4 years. Thereafter, each member appointed serves for a term of 4 years commencing on the first Monday of January of the year in which the member is appointed."

Renumber: subsequent sections (50-49)

And as amended, be not concurred in. (62-35)

Vinger abstained, conflict of interest.

That the committee rise and report. (Lynch, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

LOCAL GOVERNMENT (Robbins, Chairman):

3/25/77

SB 240, third reading bill, be amended as follows:

1. Amend page 5, section 6, lines 18 through 23.

Following: "board"

Strike: lines 18 through 23 in their entirety

Insert: "shall designate, in its resolution, the date of the election.

An election to create a district under this act may only be held in conjunction with a regularly scheduled election."

2. Amend page 6, section 6, lines 1 through 3.

Following: "laws"

Strike: lines 1 through 3 in their entirety

Insert: "."

3. Amend page 15, section 15, line 15.

Following: "signed by"



Strike: "10%"

Insert: "15%"

4. Amend page 16, section 15, line 8.

Following: "district."

Insert: "If a majority of the property owners in the area proposed to be annexed to the district file their objection to the annexation, the petition shall not be granted."

And as amended, be concurred in. Report adopted.

Objection raised by Burnett on 3/25/77 on adverse committee report on SB 284. Referred to Second Reading.

## REPORTS OF SELECT COMMITTEES

### JOINT CONFERENCE COMMITTEE

#### ON HOUSE BILL NO. 126

Report No. 1, March 24, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 126, met March 24, 1977, and considered:

Senate Committee of the Whole Amendment dated March 14, 1977, and recommend as follows:

Having had under consideration Senate Committee of the Whole Amendment dated March 14, 1977,

That the Senate recede from amendment number 1, which reads as follows:

1. Amend page 4, section 1, lines 2 through 6.

Following: "(laws.)"

Strike: lines 2 through 6 in their entirety

Insert: "Any dog found pursuing, harassing, attacking, or killing hooved game animals may be destroyed, on private lands with written permission of the landowner or on public lands, without criminal or civil liability, by any peace officer, warden, or other person authorized to enforce the Montana fish and game laws."

And further that House Bill No. 126, third reading bill, be amended as follows:

1. Amend page 4, section 1, line 4.

Following: "dog"

Strike: "pursuing, harassing,"

2. Amend page 4, section 1, line 5.

Following: "attacking"

Strike: ","

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 126, be adopted.

FOR THE HOUSE:

CONROY  
R. BAETH  
EUDAILY

FOR THE SENATE:

MANLEY  
MATHERS  
THOMAS

Report adopted.



**MESSAGES FROM THE GOVERNOR**

March 25, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that I have this date approved House Bill Nos. 20, 24, 25, 33, 34, 39, 42, 47, 57, 66, 89, 97, 98, 99, 176, 184, 203, 214, 256, 288, 315, 323, 328, 331, 347, 359, 362, 376, 395, 396, 417, 418, 420, 436, 451, 500, 570, 586, 619, 626, and 636.

Sincerely,

THOMAS L. JUDGE  
Governor

March 25, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that I have this day approved Senate Bill Nos. 6, 16, 23, 38, 42, 64, 70, 78, 84, 98, 103, 113, 116, 117, 140, 141, 152, 157, 159, 161, 171, 183, 184, 190, 274, 339, 377, and 383.

Sincerely,

THOMAS L. JUDGE  
Governor

**UNFINISHED BUSINESS**

The Speaker appointed the following new free conference committee of three to meet with a like committee from the Senate on House Bill 612: Brand, Chairman; Cooney and Keyser.

Meloy moved that the House adjourn until 9:00 a.m., March 26, 1977.

Motion carried.

House adjourned at 5:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SEVENTIETH LEGISLATIVE DAY

Helena, Montana  
March 26, 1977

House Chambers  
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Holmes. Pledge of Allegiance to the Flag.

Roll call. All members present except Barrett, Colburn, Day, Ellison, Fagg, Kanduch, Kropp, Marks, Roth, and Shelden, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Sixty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/26/77  
Considered correctly engrossed - HJR 90.  
Correctly enrolled - HB 379.

Will be signed by the Speaker on adjournment, 3/26/77 - HB 379.

Were signed by the Speaker on adjournment, 3/25/77 - HB 95, HB 373, HB 476, HB 490, HB 514, HB 709, HB 736, HJR 47, HJR 54, SB 2, SB 30, SB 92, SB 218.

Examined by Sponsor and found to be correct - HB 379.

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolutions concurred in by the Senate,  
report adopted, and returned to the House: 3/25/77

House Bill No. 63, introduced by Bardanouve

House Bill No. 71, introduced by Feda, Lund, Robbins, et al

House Bill No. 108, introduced by Severson, Williams, Gerke, et al (by request)

House Bill No. 260, introduced by Gould, Ellis, Underdal, et al

House Bill No. 300, introduced by J. Gunderson (by request)

House Bill No. 371, introduced by Harper

House Bill No. 437, introduced by Vincent (by request)

House Bill No. 495, introduced by Burnett

House Bill No. 533, introduced by Brand, Keyser

House Bill No. 623, introduced by Lund, Gerke

House Bill No. 637, introduced by Seifert, Tower, et al

House Bill No. 641, introduced by Courtney (by request)

House Bill No. 645, introduced by Brand, Menahan

House Bill No. 677, introduced by Courtney, Cooney, et al

House Bill No. 764, introduced by Ramirez, Sivertsen

House Joint Resolution No. 3, introduced by Huennekens, Vincent, Lory

House Joint Resolution No. 72, introduced by Dussault

House Joint Resolution No. 73, introduced by Menahan

House Joint Resolution No. 78, introduced by State Administration Committee

Bills and Resolution concurred in as amended  
by the Senate, and returned to the House  
for concurrence in Senate Amendments:

3/25/77

House Bill No. 5, introduced by Huennekens, Vincent, Lory

House Bill No. 29, introduced by Bengtson, Roth, Day, et al

House Bill No. 68, introduced by Bertelsen, Robbins, Sivertsen

House Bill No. 330, introduced by Kessler, Bardanouve, et al

House Bill No. 363, introduced by Cooney, Dussault, Meloy, et al

House Bill No. 565, introduced by Eudaily, Holmes, Frates, et al

House Bill No. 805, introduced by Menahan

House Joint Resolution No. 51, introduced by Frates, O'Connell, et al

Bills on Committee Report not concurred  
in by the Senate, reports adopted,  
and returned to the House:

3/25/77

House Bill No. 238, introduced by Robbins, Hurwitz, Williams, et al

House Bill No. 668, introduced by Waldron, Ramirez, Uhde, et al

3/25/77

Bill on Committee of the Whole in the Senate, recommended that further  
action be indefinitely postponed, report adopted, and returned to the  
House:

House Bill No. 340, introduced by R. Baeth, Ellison (by request)

Bill not concurred in as amended by the Senate,  
and returned to the House

3/25/77

House Bill No. 587, introduced by Moore

House Bill No. 722, introduced by Hirsch, Estenson, et al

### MOTIONS

Lien moved that SB 401 be passed to the 71st Legislative Day. Motion carried.

Harrington moved that SB 9 be placed below SB 399 on Second Reading today. Motion carried.

Meloy moved that the following bills be passed for the day: HB 3, HB 141, SB 399, and SB 425. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:



HB 835, introduced by Kessler, Palmer, Estenson. Referred to Committee on Appropriations.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 93 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lien, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Ryan, Seifert, Sivertsen, Smith, South, Staigmillar, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 74

Noes: Davis, Ellerd, Lory, Ramirez, Severson, Vinger, Wood.

Total 7

Excused: Barrett, Colburn, Day, Ellison, Fagg, Kanduch, Kropp, Marks, Roth, Shelden.

Total 10

Absent or not voting: Bardanouve, Brand, Burnett, Johnston, Kimble, McLane, Scully, Stobie, Tower.

Total 9

Senate Bill No. 27 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: None.

Total 0

Excused: Barrett, Colburn, Day, Ellison, Fagg, Kanduch, Kropp, Marks, Roth, Shelden.

Total 10

Absent or not voting: Bardanouve, Johnston, Kimble, McLane, Scully.

Total 5

Senate Bill No. 53 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Dassinger, Dussault, Ellis, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz,

Jensen, Kennerly, Kessler, Keyser, Kvaalen, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Keefe, Palmer, Quilici, Ramirez, Robbins, Sivertsen, South, Tower, Turner, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 56

Noes: Brand, Burnett, Cox, Curtiss, Davis, Ellerd, Ernst, Feda, Hand, Kenny, Lund, McLane, Meyer, Moore, Nathe, O'Connell, Pistoria, Porter, Ryan, Seifert, Severson, Smith, Staigmilller, Stobie, Teague, Tropila, Underdal, Vinger, Wood, Wyrick.

Total 30

Excused: Barrett, Colburn, Day, Ellison, Fagg, Kanduch, Kropp, Marks, Roth, Shelden.

Total 10

Absent or not voting: Bardanouve, Johnston, Kimble, Scully.

Total 4

Senate Bill No. 202 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lien, Lund, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Pistoria.

Total 1

Excused: Barrett, Colburn, Day, Ellison, Fagg, Kanduch, Kropp, Marks, Roth, Shelden.

Total 10

Absent or not voting: Bardanouve, Johnston, Kimble, Lory, Lynch, Scully.

Total 6

Senate Bill No. 385 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Burnett, Courtney, Dussault, Frates, Halvorson, Holmes, Metcalf, Palmer, Waldron.

Total 9

Excused: Barrett, Colburn, Day, Ellison, Fagg, Kanduch, Kropp, Marks, Roth, Shelden.

Total 10

Absent or not voting: Bardanouve, Kimble, Scully.

Total 3

Senate Bill No. 386 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: None.

Total 0

Excused: Barrett, Colburn, Day, Ellison, Fagg, Kanduch, Kropp, Marks, Roth, Shelden.

Total 10

Absent or not voting: Bardanouve, Harrington, Kimble, Scully.

Total 4

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Kessler in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 165 be concurred in. (85-1)

That SB 194 be concurred in. (82-2)

That SB 209 be passed for the day.

That SB 239 be concurred in. (79-4)

That SB 240 be passed for the day.

That SB 284 be passed for the day.

That SB 289 be concurred in. (82-0)

That SB 291 be concurred in. (83-0)

That SB 292 be concurred in. (83-1)

That SB 293 be concurred in. (82-1)

That SB 294 be concurred in. (87-0)

That SB 336 be amended as follows:



1. Amend title, lines 5 through 8.

Following: line 4

Strike: "aggregating service time separated by breaks for police retirement credit; providing for reinstating police retirement credit for active service by a redeposit of contributions; and providing for"

2. Amend title, line 9.

Following: "for"

Insert: "police" (81-1)

And as amended, be concurred in. (83-0)

That SB 390 be passed for the day.

That SB 9 be passed to the bottom of the board.

That SA to HB 148 be passed to the bottom of the board.

That SA to HB 175 be concurred in. (84-0)

That SA to HB 468 be concurred in. (66-19)

That SA to HJR 10 be concurred in. (78-7)

That the Conference Committee Report on HB 41 be passed for the day.

That the Conference Committee Report on HB 46 be adopted. (86-0)

That the Conference Committee Report on HB 126 be adopted. (86-2)

That SB 9 be passed for the day.

That SA to HB 148 be passed for the day.

That the committee rise and report. (Kessler, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (QUILICI, Chairman):

3/26/77

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:00 a.m., 3/26/77 - HB 62, HB 349, HB 408, HB 472, HB 529, HB 546.

Will be signed by the Speaker on adjournment, 3/26/77 - SB 5, SB 29, SB 41, SB 43, SB 91, SB 108, SB 115, SB 169, SB 186, SB 191, SB 215, SB 229, SB 234, SB 250, SB 262, SB 314, SB 405, SB 415, SB 430, SJR 18, SJR 22, SJR 32, SJR 33, SJR 34, SJR 38, SJR 40.

## MOTIONS

Bradley moved that SB 239 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., March 28, 1977.

Motion carried.

House adjourned at 10:15 a.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SEVENTY-FIRST LEGISLATIVE DAY

Helena, Montana  
March 28, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by Reverend John Robertson, Diocese of Helena. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, Quilici, Seifert, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventieth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

March 24, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Driscoll:

The following Pages will be employed in the House of Representatives for the week of March 28th through April 2nd, 1977:

Albert T. Duke	Great Falls
Tammy Elser	Missoula
Rick Folda	Havre
Dennis Dean Gerke	Columbus
Allison Priscilla Haegen	Buffalo
Tim O'Leary	Billings
Diana R. Parker	Missoula
Sherri L. Stieg	Circle
Jeff W. Thomas	Billings

The following Page will work from March 30th through April 5th, 1977:

Michael Garrity	Helena
-----------------	--------

The following Pages will be working from March 31st through April 5th, 1977:

James Michael Callahan	Butte
Honorary Page, Annette Koinberg	Sweden

Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

BILLS (E. Gunderson, Vice-Chairman): 3/28/77

Correctly printed - HJR 92.

Correctly enrolled - HB 43, HB 73, HB 77, HB 113, HB 116, HB 96,  
HB 178, HB 226, HB 301, HB 516, HB 526, HB 551, HB 607,  
HB 685, HB 757, HB 763, HB 815.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:00 a.m., 3/28/77 - HB 95, HB 373, HB 379, HB 476, HB 490, HB 514, HB 709, HB 736.

Were signed by the Speaker on adjournment, 3/26/77 - HB 379, SB 5, SB 29, SB 41, SB 43, SB 91, SB 108, SB 115, SB 169, SB 186, SB 191, SB 215, SB 229, SB 234, SB 250, SB 262, SB 314, SB 405, SB 415, SB 430, SJR 18, SJR 22, SJR 32, SJR 33, SJR 34, SJR 38, SJR 40.

Will be signed by the Speaker on adjournment, 3/28/77 - HB 43, HB 73, HB 77, HB 96, HB 113, HB 116, HB 178, HB 226, HB 301, HB 516, HB 526, HB 551, HB 607, HB 669, HB 685, HB 757, HB 763, HB 815, SB 24, SB 49, SB 73, SB 79, SB 349, SB 361, SB 397.

Objection raised by Driscoll on 3/26/77 on adverse committee report on HB 825. Referred to Second Reading.

JUDICIARY (Scully, Chairman):

3/25/77

SB 37, third reading copy, be amended as follows:

1. Amend page 1, section 2, line 20.

Following: "agencies"

Strike: "are accompanied by"

Insert: "contain"

2. Amend page 2, section 4, subsection (1), lines 8 through 10.

Following: "shall"

Strike: lines 8 through 10 in their entirety

3. Amend page 2, section 4, subsection (1), lines 13 and 14.

Following: "(report)"

Strike: "append a statement to the committee report"

Insert: "begin with a preamble"

4. Amend page 2, section 4, subsection (1), line 15.

Following: "the"

Strike: "committee members"

Insert: "sponsor's"

5. Amend page 2, section 4, subsection (1), line 18.

Following: "the"

Strike: "statement"

Insert: "preamble"

6. Amend page 2, section 4, subsection (1), line 20.

Following: "which"

Strike: "is not accompanied by the statement"

Insert: "does not contain such a preamble"

7. Amend page 2, section 4, subsection (1), line 21.

Following: "from"

Strike: "the"

Insert: "a"

8. Amend page 2, section 4, subsection (2), lines 22 through line 6 on page 3.

Following: line 21

Strike: subsection (2) in its entirety

Insert: "(2) Unless an act contains a preamble in accordance with subsection (1), any delegation of authority in the act is void."

9. Amend page 3, section 5, lines 21 and 22.

Following: "statute"

Strike: ", as evidenced by documented legislative intent"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 216, be not concurred in.

SB 311, be concurred in. Report adopted.

SB 333, third reading copy, be amended as follows:

1. Amend title, lines 5 and 6.

Following: "stock"

Strike: "dams"

Insert: "water impoundments or pits"

2. Amend title, lines 7 and 8.

Following: "water"

Strike: "appropriation"

Insert: "use"

Following: "permit"

Strike: lines 7 and 8 in their entirety

Insert: "."

3. Amend page 3, section 1, subsection (5)(b), lines 11 through 18.

Following: line 10

Strike: lines 11 through 18 in their entirety

4. Amend page 3, section 1, subsection (5)(c), line 19.

Following: line 18

Strike: "(c)"

5. Amend page 3, section 1, subsection (5)(c), line 20.

Following: line 19

Strike: "or the dam"

6. Amend page 4, section 1, subsection (5)(c).

Following: line 7

Insert: "(b) A permit is not required before constructing an impoundment or pit and appropriating water for use by livestock if the maximum capacity of the impoundment or pit is less than 15 acre feet and the appropriation is from a source other than a perennial flowing stream. As used in this subsection, a perennial flowing stream means a stream which historically has flowed continuously at all seasons of the year, during dry as well as wet years. However, before constructing the impoundment or pit, the appropriator shall apply for a permit as prescribed by this act. If the department determines after processing the application that the rights of other appropriators have been or will be adversely affected, it may require the applicant to modify the construction of the impoundment or pit, and issue the permit subject to such terms, conditions, restrictions, or limitations it considers necessary to protect the rights of other appropriators."

And as amended, be concurred in. Report adopted.

SB 413, third reading copy, be amended as follows:

1. Amend page 6, section 3, subsection (3), lines 3 and 4.

Following: "for"

Strike: "10 days after his initial admission and for"

2. Amend page 6, section 3, subsection (3), line 5.

Following: "days"

Insert: ", excluding weekends and holidays,"

Following: "release"

Strike: "thereafter"

3. Amend page 7, section 3, subsection (8), line 4.

Following: "voluntary"

Strike: "commitment"

Insert: "admission"

4. Amend page 7, section 3, subsection (8), line 7.

Following: "adult."

Insert: "A minor voluntarily admitted shall have the right to be released within 5 days of his request as provided in 38-1303(3). The minor himself may make such request."

5. Amend page 7, section 3, subsection (8), line 8.

Following: "voluntary"

Strike: "recommitment"

Insert: "readmission"

6. Amend page 7, section 3, subsection (8), line 9.

Following: "voluntary"

Strike: "commitment"

Insert: "admission"

7. Amend page 7, section 3, subsection (9), line 16.

Following: "voluntary"

Strike: "commitment"

Insert: "admission"

8. Amend page 7, section 3, subsection (9), line 19.

Following: line 18

Strike: "commitment"

Insert: "admission"

Following: "the"

Strike: "commitment"

Insert: "admission"

9. Amend page 7, section 3, subsection (9), line 23.

Following: "voluntary"

Strike: "commitment"

Insert: "admission"

10. Amend page 14, section 5, subsection (3)(b), line 13.

Following: "petition."

Insert: "The respondent may, at this appearance, object to the finding of probable cause for filing the petition."

11. Amend page 16, section 5, subsection (4), line 15.

Following: "person"

Insert: "(a)"

12. Amend page 16, section 5, subsection (4), line 21.

Following: "hours."

Strike: "if the professional person"

Insert: "(b)"

13. Amend page 16, section 5, subsection (4), lines 22 through 25.

Following: "continue, the"

Strike: lines 22 through 25 in their entirety



Insert: "hearing shall be held as scheduled. The court may not order further evaluation pending the hearing unless sound medical reasons require additional time for a complete evaluation; such reasons shall be set forth in the order along with the amount of additional time needed."

14. Amend page 17, section 5, subsection (5), lines 23 through 25.

Following: "(court.)"

Strike: lines 23 through 25 in their entirety

15. Amend page 18, section 5, subsection (5), line 1.

Following: line 25 on page 17

Strike: "pending the hearing, in which case counsel"

Insert: "The court may not order detention of respondent pending the hearing unless requested by the county attorney and upon the existence of probable cause for detention. Counsel"

16. Amend page 27, section 6, subsection (3), line 1.

Following: "patient."

Insert: "If a hearing is not requested, the court shall enter an order of commitment for not to exceed 6 months."

17. Amend page 45, section 16, subsection (1), lines 22 and 23.

Following: "(the)"

Strike: "any"

Insert: "the"

Following: "(institutions)"

Strike: "or agency of the state"

Insert: "of institutions"

18. Amend page 48, section 16, subsection (8), line 12.

Following: "facility"

Insert: "and the director of the department of institutions"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 419, be not concurred in.

On motion by Menahan, and in accordance with the 24-hour rule, the adverse committee report on SB 355 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Keyser, Kimble, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Robbins, Roth, Ryan, Severson, Smith, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Mr. Speaker.

Total 73

Noes: None.

Total 0

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: R. Baeth, Bertelsen, Bradley, Burnett, Ellerd, Ernst, J. Gunderson, Harrington, Huennekens, Kessler, Kropp, Lien, Marks, Mular, Palmer, Ramirez, Scully, Shelden, Sivertsen, Stobie, Tower, Turner, Waldron, Wyrick.

Total 24

Examined by Sponsors and found to be correct - HB 43, HB 96,  
HB 178, HB 301, HB 607, HB 685, HB 669, HB 815.

### MESSAGES FROM THE GOVERNOR

March 26, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear President McOmber and Speaker Driscoll:

In exercising the constitutional powers conferred upon me as Governor, I return Senate Bill 199, "An act to amend Section 11-403, R.C.M. 1947, by requiring that notice be given to all freeholders prior to annexation of platted or unplatted tracts to a city or town of the first class and to provide for objection to such annexation by all freeholders.", without my signature and recommend the attached amendments.

In exercising this amendatory veto, I must emphasize that I support giving those landowners affected by a proposed annexation notice of the proposal an opportunity to appear before the local governing body to oppose the annexation. However, Senate Bill 199 goes beyond this to give non-resident landowners the power to disapprove annexation. Presently, only resident landowners can do this.

I note that no other law gives non-resident landowners similar veto power over local government decisions. Non-residents cannot, for example, vote on bond issues, mill levies, and special improvement districts. The deletion of the word "resident" on pages three and four of the bill opens the right of disapproving annexation to all freeholders, be they resident or non-resident.

In addition, Senate Bill 199 inadvertently opens a technical loophole by which annexation could be unfairly blocked. "Freeholder" essentially includes anyone with a legal interest in the land, however slight that interest may be. An individual who wanted to block an annexation could simply give each of his friends and relatives a tiny legal interest in the property. Each of these persons would become a freeholder and would be able to disapprove the annexation.

The amendments restore the wording to "resident freeholder", limiting the right to block a proposed annexation to those landowners who live in the area affected.

I request your concurrence in these amendments.

Sincerely,

THOMAS L. JUDGE  
Governor

1. Amend title, lines 7 and 8.  
Following: "class"

Strike: "and to provide for objection to such annexation by all free-holders"

2. Amend page 3, section 1, line 15.

Following: "(resident)"

Insert: "resident"

3. Amend page 4, section 1, line 2.

Following: "(resident)"

Insert: "resident"

(Material in parentheses denotes cancelled type.)

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolution concurred in by the Senate  
and returned to the House: 3/26/77

House Bill No. 28, introduced by Bengtson, Roth

House Bill No. 523, introduced by Kennerly, et al

House Bill No. 553, introduced by Driscoll, Meloy

House Joint Resolution No. 45, introduced by Driscoll, et al

Bills on Committee Report in the Senate,  
not concurred in, report adopted,  
and returned to the House: 3/26/77

House Bill No. 448, introduced by Barrett, Stobie, Day, et al

House Bill No. 604, introduced by Shelden, Ellis, Kessler

Bill concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments: 3/26/77

House Bill No. 318, introduced by Metcalf

House Bill No. 415, introduced by Lynch

House Bill No. 617, introduced by Fabrega, Moore

House Bill No. 718, introduced by Meloy

Bill in Committee of the Whole in the Senate,  
recommended that further action be  
indefinitely postponed, report adopted,  
and returned to the House: 3/26/77

House Bill No. 541, introduced by Meyer, et al

Senate, on motion duly carried, requests  
the return of House Bill 340 for further  
consideration. 3/26/77

Senate, on motion duly carried, requests  
the return of House Bill 587 for further  
consideration. 3/26/77

The following Joint Conference Committee Report  
was adopted on roll call vote: 3/26/77

Joint Conference Committee on Senate Amendments to House Bill No.  
41.

House Amendments to the following Senate Bill  
concurrent in by the Senate:

3/26/77

Senate Bill No. 223, introduced by Devine, et al

3/26/77

Senate acceded to the request of the House dated 3/25/77, and authorized the President to appoint the following Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 664:

Senator Boylan, Chairman  
Senator Dover  
Senator Bergren

3/26/77

Senate acceded to the request of the House dated 3/25/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 352:

Senator Regan, Chairman  
Senator Lowe  
Senator Towe

3/26/77

Senate acceded to the request of the House dated 3/25/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 150:

Senator Warden, Chairman  
Senator Rasmussen  
Senator Brown

3/26/77

Senate acceded to the request of the House dated 3/24/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 182:

Senator Blaylock, Chairman  
Senator Story  
Senator Nelson

3/26/77

Senate acceded to the request of the House dated 3/24/77, and authorized the President to appoint the following Free Conference Committee to meet with a like committee of the House to confer on House Joint Resolution No. 21:

Senator Roskie, Chairman  
Senator McOmber  
Senator Etchart

3/26/77

Senate acceded to the request of the House dated 3/25/77, and authorized the President to appoint the following New Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 612:

Senator Roberts, Chairman  
Senator Turnage



Senator McCallum

3/26/77

Senate acceded to the request of the House dated 3/25/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 4:

Senator Lensink, Chairman  
Senator Towe  
Senator Lockrem

3/26/77

Senate, on 3/25/77, failed to concur in House Amendments to Senate Bill No. 101, and the President was authorized to appoint the following Free Conference Committee, and requests the House to appoint a like committee to confer on Senate Bill No. 101:

Senator Jergeson, Chairman  
Senator Brown  
Senator Murphy

3/26/77

Senate, on 3/25/77, failed to concur in House Amendments to Senate Bill No. 331, and the President was authorized to appoint the following Free Conference Committee, and requests the House to appoint a like committee to confer on Senate Bill No. 331:

Senator Lensink, Chairman  
Senator Rasmussen  
Senator Peterson

### MOTIONS

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on SB 101 and SB 331. Motion carried.

Meloy moved that the House accede to the Senate request and return HB 340 and HB 587 for their consideration. Motion carried.

Meloy moved that consideration of HB 141 be passed for the day. Motion carried.

Meloy moved that consideration of SB 440 be passed for the day. Motion carried.

Meloy moved that consideration of HB 365 be passed for the day. Motion carried.

Kimble moved that consideration of SB 162 be passed to the 75th Legislative Day. Motion carried.

Waldron moved that the rules be suspended to allow the introduction of a resolution concerning the use of snowmobiles on public land. Motion failed.

Barrett moved that consideration of SJR 25 be passed to the 75th Legislative Day. Motion carried.

### REPORTS OF STANDING COMMITTEES

Examined by Sponsors and found to be correct - HB 73, HB 77, HB 113, HB 226, HB 516, HB 526, HB 757, HB 763.

## BUSINESS AND INDUSTRY (Vincent, Chairman):

3/28/77

SB 237, be concurred in. Report adopted.

SB 345, third reading bill, be amended as follows:

1. Amend title, line 9.

Following: "40-3639,"

Insert: "40-3643,"

2. Amend page 2.

Following: line 10

Insert: "Section 2. Section 40-3643, R.C.M. 1947, is amended to read as follows:

'40-3643. Use of rates, rating systems, underwriting rules and policy or bond forms of rating or advisory organizations — agreements to adhere thereto. Members and subscribers of rating or advisory organizations may use the rates, rating systems, underwriting rules or policy or bond forms of such organizations, either consistently or intermittently, but, except as provided in (Sections 9, 12, 20 and 21 )40-3642, 40-3645, 40-3653, (and) 40-3654())and 40-5616, shall not agree with each other or rating organizations or others to adhere thereto. The fact that two or more admitted insurers, whether or not members or subscribers of a rating or advisory organization, use, either consistently or intermittently, the rates or rating systems made or adopted by a rating organization, or the underwriting rules or policy or bond forms prepared by a rating or advisory organization, shall not be sufficient in itself to support a finding that an agreement to so adhere exists, and may be used only for the purpose of supplementing or explaining direct evidence of the existence of any such agreements."

Renumber: all subsequent sections

3. Amend page 3, section 4, line 14.

Following: "required."

Insert: "(1)"

4. Amend page 3, section 4.

Following: line 21

Insert: "(2) A rating organization shall file with the insurance commissioner every manual of classifications and rules and every rating plan and advisory manual rates, including every modification of the foregoing. Every such filing shall state the effective date thereof. Any insurer writing pursuant to compensation plan number 2 shall adhere to the manual of rules and classifications and rating plans of the rating organization of which it is a member and may adopt by reference, in whole or in part, the advisory manual rates filed under this section. Nothing in this section, however, requires adherence by any insurer to any rates established or published by any rating organization."

And as amended, be concurred in. Report adopted.

SB 367, third reading bill, be amended as follows:

1. Amend title, line 7.

Following: "governor,"

Insert: "and relating to reporting of accidents by public utilities;"

2. Amend page 1, section 1, subsection (2), line 24.

Following: "accident"

Insert: "in the public utility's operation and resulting in death or injury to any person of such gravity as to require hospitalization"

3. Amend page 2, section 1, subsection (2), line 4.

Following: "accident."

Insert: "For any other accident occurring in a public utility's operation and resulting in injury, a public utility shall submit a written report to the commission within the 20 days after the occurrence of the accident."

And as amended, be concurred in. Report adopted.

SB 375, be concurred in. Report adopted.

SB 391, be concurred in. Report adopted.

SB 392, be concurred in. Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 194 was concurred in by the following vote:

Ayes: Aageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Smith, Stobie.

Total 2

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: R. Baeth, Bardanouve, Lund, Lynch, Manuel, Scully, Waldron.

Total 7

Senate Bill No. 289 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0



Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Bardanouve, Lynch, Scully, Tropila, Waldron.

Total 5

Senate Bill No. 291 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Keyser, Manuel, Smith.

Total 3

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Bardanouve, Ellison, Lynch, Scully, Waldron.

Total 5

Senate Bill No. 292 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Scully, Waldron.

Total 2

Senate Bill No. 293 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington,



Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Uhde.

Total 1

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Gerke, Hansen, Hirsch, Scully.

Total 4

Senate Bill No. 294 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Scully.

Total 1

Senate Amendments to House Bill No. 175 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Sheldon, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Brand, Ellison.

Total 2

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Hand, Scully, Sivertsen.

Total 3

Senate Amendments to House Bill No. 468 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Ramirez, Robbins, Roth, Ryan, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Bardanouve, Curtiss, Pistoria, Scully, Severson, Smith, Underdal.

Total 7

Senate Amendments to House Joint Resolution No. 10 were concurred in by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick.

Total 89

Noes: Estenson, Frates, Jensen, Keyser, Wood, Mr. Speaker.

Total 6

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: R. Baeth, Scully.

Total 2

Conference Committee Report on House Bill No. 46 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson,

Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Kimble, Scully.

Total 2

Conference Committee Report on House Bill No. 126 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Smith.

Total 1

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Gerke, Scully.

Total 2

House Joint Resolution No. 90 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 91

Noes: Tower.

Total 1

Excused: Kennerly, Quilici, Seifert.

Total 3

Absent or not voting: Davis, Jensen, Marks, Ryan, Scully.

Total 5

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Barrett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Seifert present at this time.

That HB 3 do pass. (72-28)

That HB 630 be amended as follows:

1. Amend page 10, section 4, line 8.

Following: "any"

Insert: "class 1 or 2"

Following: "city"

Strike: "or town"

2. Amend page 10, section 4, line 11.

Following: "city"

Strike: "or town"

3. Amend page 10, section 4, line 22.

Following: "any"

Insert: "class 3 or 4"

4. Amend page 10, section 4, line 25.

Following: "agency"

Insert: "unless a petition signed by at least 15% of the registered voters of that city or town is filed and, at the ensuing general election or at a special election, the majority of the registered voters of the jurisdiction voting on the question vote against applying for the funds"

5. Amend page 11, section 4, line 5.

Following: line 5

Strike: lines 6 and 7

Insert: "filed and, at the ensuing general election or at a special election, the majority of the registered voters of the jurisdiction voting on the question favor applying for funds."

6. Amend page 11, section 4, line 11.

Following: "agency"

Insert: "unless a petition signed by at least 15% of the registered voters of that county is filed and, at the ensuing general election or at a special election, the majority of the registered voters of the jurisdiction voting on the question vote against applying for funds"



7. Amend page 11, section 4, line 16.

Following: "is"

Strike: "presented to the administering agency through the local governing body"

Insert: "filed and, at the ensuing general election or at a special election, the majority of the registered voters of the jurisdiction voting on the question favor applying for funds"

8. Amend page 11, section 4, line 17.

Following: line 17

Insert: "(G) A city that wishes to extend the provisions of this act into the suburban band must secure the permission of the county governing body. Any decision of the county governing body may be overturned by the filing of a petition signed by at least 51% of the freeholders residing in the proposed suburban band."

Releter: subsequent subsections

9. Amend page 14, section 4, line 5.

Following: line 4

Strike: "administering agency"

Insert: "local governing body" (85-3)

And be further amended:

10. Amend amendment no. 8, insertion paragraph, line 5.

Following: "band"

Insert: ", or if a petition signed by at least 15% of the registered voters of that county is filed and, at the ensuing general election or at a special election, the majority of the registered voters residing in the proposed suburban band voting on the question vote against the decision" (68-13)

And be further amended:

11. Amend page 10, section 4, line 9.

Following: "on"

Strike: "July 1, 1977"

Insert: "January 1, 1978" (76-7)

And be further amended:

12. Amend page 12, section 4, line 5.

Following: line 5

Insert: "(k) Any municipality or county located in whole or part within the exterior boundaries of an Indian reservation shall be exempted from the requirements of this act in the event a court of competent jurisdiction rules that exercise of any power conferred by this act is invalid under the United States constitution, the Montana Enabling Act, or any treaty between the United States and an Indian tribe." (70-9)

And be further amended:

13. Amend page 20, section 6, line 9.

Following: "Class A"

Insert: ", except that an additional reduction of 10% shall be made for each generation the land has been owned and operated by the same lineal family." (65-13)

And be further amended:

14. Amend page 18, section 4, line 19.

Following: line 19

Insert: "(i) The provisions of any classification as noted in 84-7505.1 may not be construed to disparage any vested or perfected right to the beneficial use of water." (62-16)

And as amended, do pass. (48-46)

That the committee rise and report. (Barrett, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (E. Gunderson, Vice-Chairman): 3/28/77

Correctly enrolled - HB 202, HB 308, HB 495, HB 759, HB 764, HJR 49, HJR 60.

Examined by Sponsors and found to be correct - HB 116, HB 202, HB 308, HB 551, HB 495, HB 759, HB 764, HJR 49, HJR 60.

LOCAL GOVERNMENT (Robbins, Chairman): 3/26/77

SB 192, third reading copy, be amended as follows:

1. Amend title, lines 4 and 5.

Following: "amend"

Strike: "section"

Insert: "sections"

Following: "25-605"

Insert: "and 16-912"

2. Amend title, line 5.

Following: "the"

Insert: "minimum"

3. Amend page 1, section 1, line 13.

Following: line 12

Insert: "minimum"

4. Amend page 1, section 1.

line 22 Strike: \$4,289 Insert: \$4,494

line 23 Strike: \$4,514 Insert: \$4,729

line 24 Strike: \$4,614 Insert: \$4,833

line 25 Strike: \$4,713 Insert: \$4,938

5. Amend page 2, section 1.

line 1 Strike: \$4,828 Insert: \$5,058

line 2 Strike: \$5,149 Insert: \$5,394

line 3 Strike: \$5,237 Insert: \$5,487

line 4 Strike: \$5,361 Insert: \$5,617

line 5 Strike: \$5,448 Insert: \$5,708

line 6 Strike: \$5,561 Insert: \$5,826

line 7 Strike: \$5,673 Insert: \$5,943

line 8 Strike: \$5,773 Insert: \$6,048

line 9 Strike: \$5,885 Insert: \$6,165

line 10 Strike: \$5,985 Insert: \$6,270

line 11 Strike: \$6,096 Insert: \$6,387

line 12 Strike: \$6,246 Insert: \$6,544

line 13 Strike: \$6,471 Insert: \$6,779

line 14 Strike: \$6,695 Insert: \$7,014

line 15 Strike: \$6,945 Insert: \$7,275

line 16 Strike: \$7,094 Insert: \$7,432

line 17 Strike: \$7,319 Insert: \$7,676

line 18 Strike: \$7,543 Insert: \$7,902

line 21 Strike: \$4,389 Insert: \$4,598

line 22 Strike: \$4,514 Insert: \$4,729  
line 23 Strike: \$4,614 Insert: \$4,833  
line 24 Strike: \$4,713 Insert: \$4,938  
line 25 Strike: \$4,838 Insert: \$5,069

6. Amend page 3, section 1.

line 1 Strike: \$5,149 Insert: \$5,394  
line 2 Strike: \$5,237 Insert: \$5,487  
line 3 Strike: \$5,361 Insert: \$5,617  
line 4 Strike: \$5,448 Insert: \$5,708  
line 5 Strike: \$5,561 Insert: \$5,826  
line 6 Strike: \$5,672 Insert: \$5,942  
line 7 Strike: \$5,772 Insert: \$6,047  
line 8 Strike: \$5,885 Insert: \$6,165  
line 9 Strike: \$5,985 Insert: \$6,270  
line 10 Strike: \$6,096 Insert: \$6,387  
line 11 Strike: \$6,246 Insert: \$6,544  
line 12 Strike: \$6,471 Insert: \$6,779  
line 13 Strike: \$6,695 Insert: \$7,014  
line 14 Strike: \$6,945 Insert: \$7,275  
line 15 Strike: \$7,094 Insert: \$7,432  
line 16 Strike: \$7,319 Insert: \$7,667  
line 17 Strike: \$7,543 Insert: \$7,902  
line 18 Strike: \$7,768 Insert: \$8,138  
line 19 Strike: \$7,992 Insert: \$8,372  
line 20 Strike: \$8,216 Insert: \$8,607  
line 21 Strike: \$8,441 Insert: \$8,843  
line 22 Strike: \$8,666 Insert: \$9,078  
line 23 Strike: \$8,889 Insert: \$9,313  
line 24 Strike: \$9,114 Insert: \$9,548  
line 25 Strike: \$9,339 Insert: \$9,783

7. Amend page 4, section 1.

line 1 Strike: \$9,563 Insert: \$10,019  
line 2 Strike: \$9,756 Insert: \$10,195  
line 3 Strike: \$9,951 Insert: \$10,398  
line 4 Strike: \$10,149 Insert: \$10,606  
line 5 Strike: \$10,352 Insert: \$10,817  
line 6 Strike: \$10,560 Insert: \$11,035

8. Amend page 4, section 1, line 7.

Following: "The"

Strike: "total"

Insert: "minimum"

9. Amend page 4, section 1, line 16.

Following: line 15

Insert: "minimum"

10. Amend page 4, section 1, lines 18 and 19.

Following: "in addition to the"

Insert: "minimum"

11. Amend page 4, section 1, line 24.

Following: "(((\$25,000)))"

Strike: "\$30,000"

Insert: "\$27,500"

12. Amend page 4, section 2, line 25.

Following: "one-half of"

Strike: "the total"

Insert: "all"

13. Amend page 5.

Following: line 3

Insert: "Section 3. Section 16-912, R.C.M. 1947, is amended to read as follows:

'16-912. Compensation of members of board. (1) Each member of the board of county commissioners in counties of the first, second, third, and fourth class, shall receive an annual salary to be established by resolution of the board of county commissioners in an amount not to exceed the annual salary established in the schedule in section 25-605, R.C.M. 1947, for the clerk and recorder.

In addition, each member of the board of county commissioners in counties of the first, second, third and fourth class shall receive a mileage allowance as provided in section 59-801 for the distance necessarily traveled in going to and returning from the county seat and his place of residence each day that such trip is actually made, and while engaged in the performance of his official duties.

(2) Each member of the board of county commissioners in all other counties is entitled to a salary to be established by the board of county commissioners by resolution in an amount not to exceed (thirty-five dollars (\$35)) \$40 per day for each day's attendance on the sessions of the board and a mileage allowance as provided in section 59-801 for the distance necessarily traveled in going to and returning from the county seat and his place of residence each day that such trip is actually made, provided, however, that any county commissioner whose place of residence is fifty (50) miles or more from the county seat, as measured by the usual route of travel, may elect to receive mileage as provided in this section or, in lieu of mileage, a sum of ten dollars (\$10) per day for each day's attendance on sessions of the board as expenses, while engaged in the performance of his official duties, and no other compensation must be allowed."

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

3/28/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business March 28, 1977:

Thomas Albert Duke .....	Page
Tammy Elser .....	Page
Rick Folda .....	Page
Dennis Dean Gerke .....	Page
Allison P. Haegen .....	Page
Tim O'Leary .....	Page
Diana Parker .....	Page
Sherri Stieg .....	Page
Jeff W. Thomas.....	Page

At the beginning of business March 30, 1977, the following also be employed:

Michael Timothy Garrity .....	Page
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At the beginning of business March 31, 1977, the following also be employed:



Michael Callahan .....Page

At the close of business March 25, 1977, the following also be terminated:

Thomas H. Pelletier .....Guard

At the close of business March 26, 1977, the following also be terminated:

Merle Big Head.....Page

Lynden Conroy.....Page

Todd Melvin Larson.....Page

Marcia Kuehn.....Page

Johnna Marinkovich.....Page

Norie S. Quinn.....Page

Rebecca Thoft.....Page

At the close of business March 29, 1977, the following also be terminated:

Michael S. O'Keefe.....Page

Lance Newman.....Page

Report adopted.

## REPORTS OF SELECT COMMITTEES

### JOINT CONFERENCE COMMITTEE ON SENATE AMENDMENTS TO HOUSE JOINT RESOLUTION NO. 68 Report No. 1, March 26, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Amendments to House Joint Resolution No. 68, met on March 26, 1977, and considered:

Senate Committee on Fish and Game Amendments dated March 7, 1977, and recommend as follows:

Having had under consideration Senate Committee on Fish and Game Amendments dated March 7, 1977,

That the Senate recede from amendments numbers 3 and 4, reading as follows:

3. Amend page 2, lines 11 and 12.

Following: "to"

Strike: "those areas presently set aside for wilderness,"

4. Amend page 2, line 12.

Following: "Park"

Strike: ",",

And that the House accede to amendment numbers 1 and 2,

And further, that House Joint Resolution No. 68, third reading bill, be amended as follows:

1. Amend page 2, lines 11 and 12.

Following: "to"

Strike: "those areas presently set aside for wilderness"

Insert: "the Bob Marshall Wilderness"

And that the Conference Committee Report to House Joint Resolution No. 68 be adopted.

FOR THE HOUSE:

STAIGMILLER  
ELLIS  
WALDRON

FOR THE SENATE:

DUNKLE  
NELSON  
MANLEY

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolution concurred in by the Senate  
and returned to the House: 3/28/77

House Bill No. 305, introduced by Kessler, Cooney, et al

House Bill No. 404, introduced by Shelden

House Bill No. 742, introduced by Williams, Gerke, et al

House Joint Resolution No. 32, introduced by Kennerly, Conroy,  
Kimble.

Bills on Committee Report, not concurred in  
by the Senate, reports adopted,  
and returned to the House: 3/28/77

House Bill No. 633, introduced by Vincent

House Bill No. 124, introduced by Sivertsen, Robbins, Bertelsen

House Bill No. 438, introduced by Vincent, et al

House Bill No. 748, introduced by Fagg

Resolution concurred in as amended by the Senate  
and returned to the House: 3/28/77

House Joint Resolution No. 32, introduced by Kennerly, Conroy, Kimble

Bill and Resolution passed by the Senate  
and transmitted to the House  
for concurrence: 3/28/77

Senate Bill No. 211, introduced by Towe, Mathers, E. Smith

Senate Joint Resolution No. 39, introduced by Hazelbaker

3/28/77

Senate failed to concur in House Amendments to Senate Bill No. 286, and the President was authorized to appoint the following Conference Committee, and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 286.

Senator Thiessen, Chairman  
Senator E. Smith  
Senator Jergeson

3/28/77

Senate, on 3/26/77, failed to concur in House Amendments to Senate Bill No. 203, and the President was authorized to appoint the following Free Conference Committee, and requests the House to appoint a like committee to confer on Senate Bill 203:

Senator Dunkle, Chairman  
Senator Mehrens  
Senator Regan

**MOTIONS**

Day moved that HB 664 be rereferred from the Conference Committee to the Committee on Rules. Motion carried.

Conroy moved that HB 126 be rereferred from Third Reading to Reports of Select Committees. Motion carried.

**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following Senate bill and resolution were introduced, read first time and referred to committees:

SB 211, introduced by Towe, Mathers, E. Smith. Referred to Committee on Taxation.

SJR 39, introduced by Hazelbaker, Turnage, Olson, Hager, Murray, Kolstad, Goodover, Galt, Roskie, R. Smith, Flynn, E. Smith, Graham, Manley, Devine, Mathers, McCallum, Etchart, Nelson, Brown, Dover, Story, Stephens, Aber, Boylan, Manning, Bergren, Thomas. Referred to Committee on Local Government.

**UNFINISHED BUSINESS**

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on SB 331: Cooney, Chairman; Gilligan and McLane.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on SB 101: Teague, Chairman; Dussault and Ramirez.

Meloy moved that the House adjourn until 1:30 p.m., March 29, 1977.

Motion carried.

House adjourned at 6:00 p.m.

JOHN B. DRISCOLL, Speaker

EDWIN A. SMITH, Assistant Chief Clerk





## SEVENTY-SECOND LEGISLATIVE DAY

Helena, Montana  
March 29, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-first Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 3/29/77  
Correctly printed - HB 825.  
Correctly enrolled - HB 63, HB 108, HB 437, HB 623, HB 637,  
HB 641, HB 645, HB 755, HJR 36, HJR 78.  
Considered correctly engrossed - HB 3.

NATURAL RESOURCES (Shelden, Chairman): 3/29/77  
HJR 94, do pass. Report adopted.  
SB 173, third reading copy, be amended as follows:

1. Amend page 2, section 2, line 20.

Following: "rights"

Insert: "from willing sellers"

2. Amend page 2, section 2, line 22.

Following: "subsection"

Insert: "except development rights may not be acquired by condemnation"

And as amended, be not concurred in.

SB 247, be not concurred in.

SB 268, third reading copy, be amended as follows:

1. Amend page 1, section 1, line 21.

Following: "may"

Strike: "propose,"

And as amended, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman): 3/27/77  
HB 482, do pass. Report adopted.  
HB 754, second reading copy, be amended as follows:

1. Amend page 11, section 2, line 1.

Following: "(The)"

Insert: "Only"

Following: "(may)"

Insert: "may"

2. Amend page 11, section 2, line 2.

Following: line 1

Strike: "collected before January 1, 1981, and after January 1, 1981, only the interest on the coal tax trust fund"

3. Amend page 12, section 2, line 1.

Following: "(interest)"

Strike: "2 1/2 %"

Insert: "2 1/2 percentage points"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

JUDICIARY (Scully, Chairman):

3/25/77

SB 359, third reading copy, be amended as follows:

1. Amend title, lines 6 through 8.

Following: "rights"

Strike: ", including reservations under section 89-890, R.C.M. 1947, and permits for water in excess of 20 cubic feet of water per second or 14,000 acre-feet"

Insert: "in the Yellowstone River basin in Montana"

2. Amend the bill, pages 1 through 5.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Certain water reservations and permits within the Yellowstone River basin subject to future appropriation for preferred beneficial uses. Within the Yellowstone River basin in Montana, any reservation of water made pursuant to 89-890 and approved after (the effective date of this act)\* and any water right arising or derived from a water use permit suspended under 89-8-104 and 89-8-105 and granted after (the effective date of this act)\* are subject to future appropriation according to the preference system established in (section 2 of this act).\* This act does not affect water rights vested before (the effective date of this act).\*

Section 2. System of preferences. (1) For purposes of this act, the following order of classes of preferred beneficial uses is established, in decreasing order of preference:

(a) domestic use, including municipal domestic use;

(b) agricultural, irrigation, and stockwater uses;

(c) a minimum flow for recreational, fish and wildlife, and water quality uses which equals the percentages of the average monthly gauged flows of record through 1975 as shown by the following table:

Stream-fishery Classification	October-March	April-September
I	40%	60%
II	30%	50%
III	20%	40%
IV	10%	30%
Unclassified	10%	30%

The stream-fishery classifications adopted by the bureau of sport fisheries and wildlife, the department of fish and game and Montana State University, as shown on map no. M013-1-1 compiled and traced at MRBS office, Billings, Montana, 1959, revised 1965, shall be used for the purposes of this subsection;

(d) municipal use other than domestic;

(e) industrial use by means of water storage;

(f) industrial use by means of direct diversion;

- (g) recreational, fish and wildlife, and water quality uses;
- (h) all other uses.

(2) For each reservation of water approved after (the effective date of this act)\* pursuant to 89-890, the board shall specify the class or classes of use based on the classes listed in subsection (1), and for each water user permit suspended under 89-8-104 and 89-8-105 and granted after (the effective date of this act),\* the department shall specify the class or classes of use based on the classes listed in subsection (1) of this section.

(3) A water right arising or derived from a reservation or permit suspended under 89-8-104 and 89-8-105 in a given class are subject to future appropriation by a holder of a reservation or such permit of a higher preference. Within a class, first in time is first in right.

Section 3. Compensation — condemnation. (1) The exercise of a preference under this act may be made only by compensation or consent of the holder of the water right arising or derived from the reservation or permit of a lower class or by court ordered condemnation of the water right arising or derived from such reservation or permit.

(2) This act does not affect the rights of any state agency or political subdivision to condemn water rights existing before or after (the effective date of this act).\*

Section 4. Section 89-891, R.C.M. 1947, is amended to read as follows:

'89-891. Priority. (1) As between appropriators, the first in time is the first in right. Priority of appropriation does not include the right to prevent changes by later appropriators in the condition of water occurrence, such as the increase or decrease of stream flow, or the lowering of a water table, artesian pressure or water level, if the prior appropriator can reasonably exercise his water right under the changed conditions.

(2) Priority of appropriation made under this act dates from the filing of an application for a permit with the department, except as otherwise provided in (section 16) (89-880) of this act, or in the case of a reservation of water under 89-880, from the date of approval of the reservation.

(3) Priority of appropriation perfected before the effective date of this act shall be determined as provided in (sections 6 through 15) (89-870 through 89-879()) of this act.

(4) The provisions of this section are subject to the provisions of (sections 1 through 3 of this act)\* concerning preferred uses.'

Section 5. Section 89-8-105, R.C.M. 1947, is amended to read as follows:

'89-8-105. Suspension of action. ((1)) The department may not grant or otherwise take any action on an application until either of the following first occurs:

((a))(1) three (3) years have elapsed from the effective date of this act, or

((b))(2) a final determination of existing rights has been made in



the source of supply in accordance with the Montana Water Use Act.

((2) A reservation established before such application for permit is granted is a preferred use over the right to appropriate water pursuant to the permit, and the permit, if granted, shall be issued subject to that preferred use.)'

Section 6. Legislative modification. The order of preferred uses established in (section 2 of this act)\* may be altered by legislative action for waters or sections of waters in particular locations but such alteration may not be retroactive.

Section 7. Effective date. This act is effective on its passage and approval."

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, be concurred in. Report adopted.

Will be signed by the Speaker on adjournment, 3/29/77 - HB 63, HB 108, HB 116, HB 202, HB 308, HB 437, HB 495, HB 623, HB 637, HB 641, HB 645, HB 759, HB 755, HB 764, HJR 36, HJR 49, HJR 60, HJR 78.

Were signed by the Speaker on adjournment, 3/28/77 - HB 43, HB 73, HB 77, HB 96, HB 113, HB 116, HB 178, HB 226, HB 301, HB 516, HB 526, HB 551, HB 607, HB 669, HB 685, HB 757, HB 763, HB 815, SB 24, SB 49, SB 73, SB 79, SB 349, SB 361, SB 397.

On motion by Teague, and in accordance with the 24-hour rule, the adverse committee report on SB 216 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedas, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Nathe, Turner, Uhde.

Total 3

Excused: Kennerly.

Total 1

Absent or not voting: Bardanouve, Colburn, Cox, Dussault, Fabrega, Manuel, Meyer, Palmer, Ryan, Sivertsen, Waldron.

Total 11

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on SB 419 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd,



Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.  
Total 86

Noes: Barrett.  
Total 1

Excused: Kennerly.  
Total 1

Absent or not voting: Bardanouve, Colburn, Davis, Dussault, Fabrega, Manuel, Palmer, Ryan, Sivertsen, Tower, Waldron, Wood.  
Total 12

### MOTIONS

Meloy moved that consideration of SB 192 be passed for the day. Motion carried.

Meloy moved that consideration of HB 141 be passed for the day. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on Senate Bill 203. Motion carried.

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill 286. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

HB 836, introduced by Driscoll, Meloy, Bradley. Referred to Committee on Appropriations.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 165 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Kennerly.

Total 1

Absent or not voting: Bardanouve, Colburn, Dussault, Manuel.

Total 4

Senate Bill No. 179 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Ellis, Ernst, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, Halvorson, Harrington, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Turner, Williams, Wyrick.

Total 68

Noes: Bradley, Curtiss, Ellerd, Ellison, Estenson, Feda, Frates, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Hirsch, Huennekens, Keyser, Nathe, Scully, Stobie, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Mr. Speaker.

Total 26

Excused: Kennerly.

Total 1

Absent or not voting: Bardanouve, Colburn, Davis, Dussault, Manuel.

Total 5

### UNFINISHED BUSINESS

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on Senate Bill 203: Staigmiller, Chairman; R. Baeth and Seifert.

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill 286: Brand, Chairman; Kanduch and Feda.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 365 be amended as follows:

1. Amend page 1, section 1, line 25.

Strike: "\$10,289"

Insert: "\$10,386"

## 2. Amend page 2, section 1.

line 4 Strike:	"\$10,289"	Insert:	"\$10,386"
line 5 Strike:	"\$430"	Insert:	"434.10"
line 9 Strike:	"\$14,159"	Insert:	"\$14,293"
line 10 Strike:	"\$430"	Insert:	"\$434.10"
line 16 Strike:	"\$22,606"	Insert:	"\$22,819"
line 17 Strike:	"\$269.35"	Insert:	"\$271.89"

## 3. Amend page 3, section 1.

line 1 Strike:	"\$999.05"	Insert:	"\$1,008.48"
line 6 Strike:	"\$940.75"	Insert:	"\$949.63"
line 7 Strike:	"89"	Insert:	"90"
line 12 Strike:	"\$763.40"	Insert:	"\$770.61"
line 22 Strike:	"\$58,611"	Insert:	"\$59,164"
line 25 Strike:	"\$2,442"	Insert:	"\$2,465"

## 4. Amend page 4, section 1.

line 1 Strike:	"\$13.32"	Insert:	"\$13.45"
line 5 Strike:	"\$2,229"	Insert:	"\$2,250"
line 7 Strike:	"\$13.32"	Insert:	"\$13.45"
line 11 Strike:	"\$1,430"	Insert:	"\$1,443"
line 12 Strike:	"\$2.23"	Insert:	"\$2.25"
line 16 Strike:	"\$1,207"	Insert:	"\$1,219"
line 17 Strike:	"\$1.22"	Insert:	"\$1.23"
line 21 Strike:	"\$1,084"	Insert:	"\$1,695"
line 25 Strike:	"\$1,016.95"	Insert:	"\$1,026.56"

## 5. Amend page 5, section 1.

line 14 Strike:	"\$10,906"	Insert:	"\$11,009"
line 18 Strike:	"\$10,906"	Insert:	"\$11,009"
line 20 Strike:	"\$455.80"	Insert:	"\$460.15"
line 24 Strike:	"\$15,009"	Insert:	"\$15,151"

## 6. Amend page 6, section 1.

line 1 Strike:	"\$455.80"	Insert:	"\$460.15"
line 7 Strike:	"\$23,962"	Insert:	"\$24,188"
line 8 Strike:	"\$285.50"	Insert:	"288.20"
line 17 Strike:	"\$1,059"	Insert:	"\$1,069"
line 22 Strike:	"\$997.20"	Insert:	"\$1,006.61"
line 23 Strike:	"94"	Insert:	"95"

## 7. Amend page 7, section 1.

line 3 Strike:	"\$809.20"	Insert:	"\$816.83"
line 14 Strike:	"\$62,128"	Insert:	"\$62,714"
line 17 Strike:	"\$2,589"	Insert:	"\$2,613"
line 18 Strike:	"\$14.12"	Insert:	"\$14.26"
line 22 Strike:	"\$2,363"	Insert:	"\$2,385"
line 24 Strike:	"\$14.12"	Insert:	"\$14.26"

## 8. Amend page 8, section 1.

line 2 Strike:	"\$1,516"	Insert:	"\$1,530"
line 4 Strike:	"\$2.36"	Insert:	"\$2.38"
line 7 Strike:	"\$1,279"	Insert:	"\$1,292"
line 9 Strike:	"\$1.29"	Insert:	"\$1.30"
line 12 Strike:	"\$1,149"	Insert:	"\$1,161"
line 17 Strike:	"\$1,077.95"	Insert:	"\$1,088.15"

(61-39)

And as amended, do pass. (61-38)

That HB 398 do not pass. (51-38)

That SB 440 be amended as follows:

1. Amend title, line 8.

Following: "functions"

Insert: "except the division of motor vehicles"

2. Amend title, lines 13 and 14.

Following: "82A-709"

Strike: ", "

Insert: "and"

Following: "82A-905,"

Strike: "82A-1204, 82A-1205, and 82A-1206,"  
(65-27)

And be further amended:

3. Amend title, line 10.

Following: line 9

Strike: "1-322.1,"

4. Amend title, line 13.

Following: "82A-709,"

Strike: "82A-905," (55-38)

And be further amended:

5. Amend title, line 8.

Following: "functions"

Insert: "except the division of motor vehicles"

6. Amend title, lines 13 and 14.

Following: "82A-709"

Strike: ", "

Insert: "and"

Following: "82A-905,"

Strike: "82A-1204, 82A-1205, and 82A-1206,"

7. Amend pages 7 and 8, section 9, line 4 through line 7 on page 8.

Following: line 3

Strike: section 9 in its entirety

Renumber: subsequent sections

8. Amend page 26, section 26, lines 13 and 14.

Following: "82A-709"

Strike: ", "

Insert: "and"

Following: "82A-905,"

Strike: "82A-1204, 82A-1205, and 82A-1206,"  
(72-11)

And be further amended:

9. Amend page 6, section 8, lines 7 through 14.

Following: line 6

Strike: lines 7 through 14 in their entirety

Renumber: subsequent subsections

10. Amend page 10, section 11, line 18.

Following: "Transportation"

Strike: "air,"

11. Amend page 12.



Following: line 7

Strike: lines 8 through 19 in their entirety

Renumber: subsequent sections

12. Amend page 14.

Following: line 12

Strike: lines 13 through 24 in their entirety

Renumber: subsequent sections

13. Amend page 26, section 26, line 13.

Following: "82A-709,"

Strike: "82A-905,"

14. Amend page 5, line 19.

Following: line 18

Insert: "(1) aeronautics (Title 1, chapters 1 to 9);"

Renumber: subsequent subsections (52-34)

And as amended, be not concurred in. (64-33)

That HJR 92 do pass. (89-1)

That SB 9 be placed below SB 37.

That SB 37 be concurred in. (88-3)

That SB 9 be concurred in. (74-19)

That SB 209 be amended as follows:

1. Amend page 1, line 21.

Following: "quality"

Strike: ", and"

Insert: "as it pertains to" (55-36)

And as amended, be concurred in. (73-16)

That the committee rise and report. (Gerke, Chairman).

Fagg moved that HB 398 be segregated from the Committee of the Whole Report and as amended be adopted. Motion carried.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/29/77

Correctly enrolled - HB 71, HB 236, HB 260, HB 583.

Examined by Sponsors and found to be correct - HB 63, HB 108, HB 437, HB 623, HB 637, HB 641, HB 645, HB 755, HJR 36, HJR 78.

APPROPRIATIONS (Bardanouve, Chairman):

3/29/77

HB 145, introduced bill be amended as follows:

1. Amend the bill, pages 1 through 15.

Strike: all of the bill following the enacting clause

Insert:

"Section 1. Title. This act may be cited as the 'General Appropriations Act of 1977'.

Section 2. Definitions. For the purposes of this act, unless otherwise stated:

(1) 'Agency' means each state office, department, division, board, commission, council, committee, institution, university unit, or other

entity or instrumentality of the executive branch, office of the judicial branch, or office of the legislative branch of state government.

(2) 'Approving authority' means the governor, or his designated representative, for executive branch agencies; the chief justice of the supreme court for judicial branch agencies; appropriate legislative committees for legislative branch agencies; or the board of regents for the university system.

(3) 'University system unit' means the board of regents, office of the commissioner of higher education, the university of Montana at Missoula, Montana state university at Bozeman, Montana college of mineral science and technology at Butte, eastern Montana college at Billings, northern Montana college at Havre, western Montana college at Dillon, the agricultural station with central offices at Bozeman, the cooperative extension service with central offices at Bozeman, or the bureau of mines and geology with central offices at Butte.

Section 3. Budget amendments. An agency may request and the approving authority may approve a budget amendment to obtain financing for a new or expanded program from funds which were not available for consideration by the legislature but which have become available from a source other than the state's general fund and other than receipts to the state from the United States government made available under the provision of P.L. 94-488, the federal Revenue Sharing Extension Act or any extension or modification of that act. Each budget amendment shall be submitted to the budget director and the office of legislative fiscal analyst.

Section 4. Amendment procedures. In approving a budget amendment, the approving authority shall:

(1) certify specific additional services to be provided as a result of a higher expenditure level;

(2) certify that no other alternative is available to provide the additional services;

(3) certify that the additional proposed services have not been considered and rejected by the legislature;

(4) certify that no commitment, implied or otherwise, is made for increased future general fund support;

(5) specify criteria for evaluating the effectiveness of the additional services provided;

(6) include in the next executive budget request a section listing each budget amendment approved since the adjournment of the previous regular session relating these amendments to any expanded or new programs requested in the executive budget and evaluating each amendment according to the criteria specified in the amendment.

Section 5. Budget requests. Sufficient funds are appropriated in this act to enable each agency to submit its budget request to the budget director and the legislative fiscal analyst pursuant to the time schedule established in 79-1013. If any agency fails to submit its final, complete budget request by the deadlines established in 79-1013, the expenditure authority herein granted shall be reduced or rescinded by the budget director unless the agency director certifies that an emergency situation has precluded a timely budget presentation and the budget director approves an extension not to exceed 30 days.

Section 6. Expenditure limit. Expenditures shall not exceed appropriations except as otherwise provided in this act.

Section 7. Other appropriated funds. Unless otherwise indicated herein, the appropriations made under the column heading, "Other Appropriated Funds", are from funds within the earmarked revenue fund, the federal and private revenue fund, and the revolving fund that accrue under provisions of law to the expending agency.

Section 8. Operating budgets. Expenditures shall be made only in accordance with operating budgets approved by the approving authority. The respective appropriations are contingent upon approval of the operating budget by July 1 of each fiscal year. Each operating budget shall include expenditures for each agency program detailed at least by personal services, operating expenses, equipment, benefits and claims, transfers, and local assistance.

Section 9. Access to records. No funds appropriated by this act may be expended for any contract, written or oral, for services with a non-state entity, for services to be provided by the non-state entity to members of the public on behalf of the state, unless such contract contains a provision allowing access to those records of the non-state entity as may be necessary for legislative post-audit and analysis purposes in determining compliance with the terms of the contract. Each such contract shall automatically terminate, and each contract shall so provide, upon refusal of the non-state entity to allow access to records necessary to carry out the legislative post-audit and analysis functions set forth in Title 43, chapter 11, and Title 79, chapter 23, R.C.M. 1947.

Section 10. Reduction of appropriation. In the event of a shortfall in revenue the Governor may reduce any appropriation by not more than 15 percent except appropriations for:

1. payment of interest and retirement of state debt;
2. the legislative branch;
3. the judicial branch;
4. public schools; or
5. salaries of elected officials during their term of office.

Section 11. Severability. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Section 12. Reversion. Notwithstanding other provisions of law, the unexpended balance of each appropriation shall revert to the fund from which it was appropriated at the end of each fiscal year unless the approving authority certifies that an emergency requires the expenditure of the otherwise reverted funds and explains the nature of the emergency. Goods or services received but not paid for during a fiscal year shall be accrued from that year's appropriation authority and paid from that year's appropriated funds.

Section 13. Other funds to offset general fund. In the event a state agency receives additional funds which were not available for consideration by the legislature, the funds provided by appropriation from the general fund shall be decreased by the amount that the funds received from other sources exceeds the amount from other sources appropriated by the 45th legislature, unless a budget amendment has been approved by the approving authority.



Section 14. Statutory provisions. Except as otherwise provided in this act, the expenditures of appropriations are hereby subject to the following general and specific provisions:

(1) All expenditures of funds appropriated by this act for purpose of travel, transportation, and vacation and sick leave are subject to the provisions of law expressed in Title 59, R.C.M. 1947.

(2) All expenditures of funds appropriated by this act for the purchase of property, materials, and supplies are subject to the provisions of law expressed in Title 82, chapter 19, R.C.M. 1947.

(3) All expenditures of funds appropriated by this act shall be made in accordance with the provisions of Section 82-109, R.C.M. 1947, which specifies that expenditures shall be applied against non-general fund moneys before general fund moneys.

(4) All moneys collected or received by agencies subject to this act from any source whatsoever, including federal grants for research and operations, shall be deposited in the state treasury pursuant to provisions of Title 79, R.C.M. 1947, except that the department of administration may pursuant to 79-603 permit any agency to retain in its possession moneys that would otherwise be deposited in the state treasury.

(5) All expenditures of funds appropriated by this act shall be reported and accounted for in accordance with procedures and systems established by the department of administration pursuant to 82-110.

Section 15. Appropriations. The following moneys are appropriated for the respective fiscal years:

#### A. LEGISLATIVE, JUDICIAL, ADMINISTRATIVE

Fiscal 1978		Fiscal 1979	
General	Other	General	Other
<u>Fund</u>	<u>Appropriated</u>	<u>Fund</u>	<u>Appropriated</u>
	<u>Funds</u>		<u>Funds</u>
OFFICE OF LEGISLATIVE AUDITOR			
	1,116,214		1,388,524

State agencies partially or totally funded by federal money shall, based upon a percentage of completion of an audit contracted or conducted by the legislative auditor, transfer an amount to the legislative auditor as reimbursement for the costs of audit associated with the federal funds. The costs of audit and amount to be transferred shall be determined by the legislative auditor, based upon actual costs incurred and available funds. The money transferred shall be deposited by the legislative auditor into the general fund as reimbursement to the general fund for costs of audits of such federally funded programs, unless such a transfer is specifically prohibited by federal law.

Based upon a percentage of completion of each audit of the respective programs and at the request of the legislative auditor, non-general fund and non-federal fund revenue received by the following agencies shall be transferred to the legislative auditor. The amount to be transferred shall be determined by the legislative auditor and, upon transfer, deposited in the general fund as reimbursement for audit costs. Such transfers during the biennium shall not exceed:

Public Employees' Retirement  
System

10,000



Teachers' Retirement System	8,000
Department of Administration, Investment Division (2 audits)	40,000
Department of Highways	60,000
Workers' Compensation Division	30,000
Department of Fish and Game	25,000
Department of Revenue, Liquor Division (2 audits)	<u>40,000</u>
Total	<u>\$213,000</u>

## OFFICE OF LEGISLATIVE FISCAL ANALYST

231,537	272,627
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## LEGISLATIVE COUNCIL

928,414	886,720
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Included within the fiscal 1978 appropriation is \$7,500 for the purposes of the Western States Forestry Task Force, and \$18,584 per fiscal year for dues to the Council of State Governments.

## LEGISLATURE

30,000	30,000
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The above appropriation includes the state's contribution to the legislative retirement plan, health insurance and miscellaneous costs of the forty-fifth legislature.

## ENVIRONMENTAL QUALITY COUNCIL

161,373	168,583
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## CONSUMER COUNSEL

150,762	155,717
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The appropriation made from other appropriated funds are derived under provisions of 70-709.

## JUDICIAL BRANCH

Supreme Court Operations		
506,438	19,600	565,027
Boards and Commissions		
97,226	11,000	117,490
Law Library		
123,571	7,500	133,626
District Court Operations		
<u>878,888</u>	<u>18,000</u>	<u>884,394</u>
Total Judicial Branch		
\$1,606,123	\$56,100	\$1,700,537

## GOVERNOR'S OFFICE

Executive Office		
596,633		607,096
Mansion Maintenance		
50,323		50,834
Office of Budget and Program Planning		
589,834		598,129
Lieutenant Governor		
104,748	155,162	105,689
Citizen's Advocate		
56,865		57,095
Energy and Resource Policy Office		
142,562		145,871

Board of Visitors	41,412		40,626	
Office of Commerce and Small Business Development	61,300	160,000	63,950	160,000
Economic Development	<u>67,000</u>	<u>200,000</u>	<u>67,000</u>	<u>200,000</u>
Total Governor's Office	\$1,710,677	\$515,162	\$1,736,290	\$360,000

Of the appropriation to the office of commerce and small business development the personal services expense for the five staff members is limited to \$106,000 in fiscal 1978 and \$108,650 in fiscal 1979. Expenses for the council of economic advisors are limited to \$7,500 each year of the biennium.

The purpose of the appropriation for the economic development program is for supplementing or making grants and loans authorized under Section 304 of the federal public works and economic development act of 1965, as amended (42 USC 3153). All grants or loans must be submitted to the legislative finance committee for review and no grants or loans may be made without prior review by the council of economic advisors.

#### SECRETARY OF STATE

	345,470		350,855	
Administrative Code Program	75,363		65,114	
Commissioner of Campaign Finances and Practices	<u>135,496</u>		<u>133,044</u>	
Total Secretary of State	\$556,329		\$549,013	

#### STATE AUDITOR

	1,007,567	75,000	1,002,664	75,000
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In addition to the funds appropriated above, the local assistance distribution of funds provided for in 11-1834, 11-1919, 11-1927.2 and 11-2030, are appropriated.

Revenues generated under provisions of 82-1231 shall be deposited in the general fund.

#### DEPARTMENT OF JUSTICE

	4,326,193	5,416,161	4,876,615	5,289,363
County Attorneys' Salaries	415,220		415,220	
Crime Control Division	<u>195,885</u>	<u>790,038</u>	<u>205,751</u>	<u>819,179</u>
Total Department of Justice	\$4,937,298	\$6,206,199	\$5,497,586	\$6,108,542

Appropriation to the crime control division is made for the life of the grant to which it may be matched. All matched funds as of June 30, 1977, are hereby reappropriated for the matching period.

Included in other appropriated funds is the amount of \$7,170,684 for the biennium generated under provisions of 84-1847.

Included in the general fund appropriation is the amount of \$336,175 which may be spent by the fire marshall program during the 1979 biennium only in the event Senate Bill 401 fails to become law.

Included in other appropriated funds is the amount of \$60,051 for the biennium to be derived by charging the users of the law enforcement academy \$2.70 per day for the mandatory courses and \$5.40 per day for the optional courses at the Bozeman training center.

The county prosecution services program provided for in the above appropriation is terminated as of June 30, 1979.

#### DEPARTMENT OF HIGHWAYS

##### General Operations

	6,014,556	6,231,051
Travel Promotion		
	634,431	637,031
Construction		
	87,049,484	82,119,088
Preconstruction		
	8,839,704	8,930,806
Motor Pool		
	628,677	655,573
Equipment		
	7,302,133	6,911,047
Maintenance		
	<u>22,403,297</u>	<u>23,662,987</u>
Total Department of Highways		
	\$132,872,282	\$129,147,583

Funds are not provided within the department's appropriation to conduct a study of tourism.

Of the above appropriation of other funds for the biennium, \$752,000 is appropriated to the equipment program and \$1,764,806 is appropriated to the maintenance program contingent upon passage of House Bill 769.

#### DEPARTMENT OF REVENUE

10,795,070	5,699,827	10,004,394	5,904,761
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In addition to those amounts appropriated above, there is appropriated to the department funds necessary to maintain an adequate inventory of liquor and wine. This additional appropriation shall be separately accounted for and used only for purchasing goods for resale and accompanying freight costs.

Included in the above appropriation of other funds is \$877,035 for the biennium generated under provisions of 84-1847.

#### DEPARTMENT OF ADMINISTRATION

	3,837,056	11,110,196	4,080,176	11,700,185
P.E.R.S. Program				
	2,000	428,805	2,000	442,534
Teachers' Retirement Board				
		238,143		239,815
State Tax Appeals Board				
	170,121		175,152	
Workers' Compensation Judge				
	<u>141,931</u>			<u>144,306</u>
Total Department of Administration				
	\$4,009,177	\$11,919,075	\$4,257,328	\$12,526,840

Included in other appropriated funds is the amount of \$313,496 which may be spent during the 1979 biennium for the building standards program only in the event Senate Bill 401 fails to become law.

Included in other appropriated funds is the amount of \$25,200 which may be spent during the 1979 biennium by the passenger tramway program only in the event House Bill 389 becomes law.

Included in the general fund appropriation is the amount of \$251,185 which may be spent by the treasurer division during the 1979 biennium only in the event Senate Bill 286 becomes law.

Included in other appropriated funds is the amount of \$62,486 which may be spent by the renewable resources program during the 1979 biennium only in the event Senate Bill 298 fails to become law.

No appropriation is made to the board of examiners.

Included in other appropriated funds is the amount of \$564,982 to be generated during the biennium under provisions of 84-3804 to be spent for insurance costs.

In addition to the above appropriations, funds distributed for local assistance provided for in 11-4513 and 84-1840 and generated under provisions of 84-1847 are appropriated.

In addition to the above appropriation of general funds an amount not to exceed \$200,000 of the funds remaining on June 30, 1977, for the Vietnam honorarium program is reappropriated for the fiscal year ending June 30, 1978, to be used as originally intended, contingent upon passage of House Bill 376.

Notwithstanding other provisions of law, the salary of the chairman of the state tax appeals board is \$19,000 per annum and the salaries of the other two members of the board are \$18,500 each per annum for fiscal 1978 and fiscal 1979. No appropriation is made for out-of-state travel for the state tax appeals board.

The appropriation made for the workers' compensation judge from other appropriated funds are derived under provisions of 92-116.1.

#### DEPARTMENT OF MILITARY AFFAIRS

##### Adjutant General

610,274	413,865	631,465	414,784
Civil Defense Division			
<u>103,385</u>	<u>342,690</u>	<u>107,101</u>	<u>307,220</u>

##### Total Department of Military Affairs

\$713,659	\$756,555	\$738,566	\$722,004
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##### TOTAL SECTION A

\$27,803,438	\$158,250,962	\$28,232,832	\$155,000,447
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#### B. AGENCIES I

##### Fiscal 1978

##### Fiscal 1979

General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
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#### DEPARTMENT OF BUSINESS REGULATION

830,759	238,479	865,387	243,941
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#### DEPARTMENT OF COMMUNITY AFFAIRS

1,449,880	8,949,634	1,456,403	10,099,469
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The above appropriation of 'Other Appropriated Funds' contains in fiscal 1978 \$217,077 and in fiscal 1979 \$217,327 from revenues generated



under the provisions of 84-1847 relating to other than aviation gasoline, \$6,168,750 in fiscal 1978 and \$7,350,000 in fiscal 1979 from the revenues generated under the provisions of 84-1314 and allocated to the coal board under provisions of 84-1319(3) for local impact pursuant to 50-1807(3), and \$438,835 in fiscal 1978 and \$383,835 in fiscal 1979 from the revenues generated under provisions of 84-1314 and allocated to the department of community affairs under provisions of 84-1319(6) for county land planning pursuant to 82-3710.

## DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

	2,579,678	14,000,474	2,624,632	14,124,183
Water & Waste Water Operations				
		12,339		12,590
Total Department of Health and Environmental Sciences	\$2,579,678	\$14,012,813	\$2,624,632	\$14,136,773

## DEPARTMENT OF LABOR AND INDUSTRY

Workers' Compensation Division	1,013,074	2,917,824	1,013,095	2,947,189
Labor Standards Division	307,491	532,400	312,627	541,111
Human Rights Division	135,161	79,750	132,429	85,420
Board of Personnel Appeals	245,903	16,000	249,501	16,000
Employment Security Division		11,377,886		11,701,220
Total Department of Labor and Industry	\$1,701,629	\$14,923,860	\$1,707,652	\$15,290,940

Included in the appropriation to the workers' compensation division is \$30,000 in fiscal 1978 for audits performed under the direction of the legislative auditor.

## DEPARTMENT OF PUBLIC SERVICE REGULATION

	767,381	16,000	782,126	16,000
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## TOTAL SECTION B

\$ 7,329,327	\$ 38,140,786	\$ 7,436,200	\$ 39,787,123
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## C. AGENCIES II

## Fiscal 1978

## Fiscal 1979

General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
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## DEPARTMENT OF AGRICULTURE

	704,426	1,164,516	718,224	1,174,157
Administration-Personnel Technician	11,148		11,398	
Federal Grain Lab Inspection Fees		35,000		35,000

## Total Department of Agriculture

\$ 715,574	\$1,199,516	\$ 729,622	\$1,209,157
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## DEPARTMENT OF FISH AND GAME

Wildlife Program	6,238,506	6,410,940
Fish Program	3,981,883	4,167,206

Parks and Recreation Program				
448,648	1,441,100	457,969	1,542,416	
Administration Program				
	167,458		176,021	
Total Department of Fish and Game				
\$ 448,648	\$11,828,947	\$ 457,969	\$12,296,583	

None of the appropriation may be spent on planning for fish and wild-life until the planning division is relocated in the Helena headquarters.

#### DEPARTMENT OF STATE LANDS

1,091,995	426,875	1,099,682	426,837
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#### DEPARTMENT OF LIVESTOCK

Centralized Services				
38,292	130,420	46,005	156,639	
Animal Health Administration				
33,778	33,779	35,070	35,070	
Diagnostic Laboratory				
224,786	149,857	234,898	156,599	
Disease Control				
43,157	388,416	44,850	403,649	
Milk and Egg				
124,250	9,352	126,920	9,553	
Inspection and Control				
	1,109,305		1,155,297	
Predator Control				
	219,470		221,057	
Rabies and Rodent Control				
63,137		63,916		
Total Department of Livestock				
\$ 527,400	\$2,040,599	\$ 551,659	\$2,137,864	

#### DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Centralized Services				
758,611	180,377	815,808	182,064	
Oil and Gas Regulation				
	325,289		330,158	
Resource District Supervision				
124,539	32,761	125,424	22,500	
Water Resources				
1,653,576	559,565	1,660,995	539,069	
Forest Resources				
1,869,609	2,988,382	1,934,194	3,003,791	
Energy Planning				
	1,492,376		1,397,841	
Total Department of Natural Resources and Conservation				
\$4,406,335	\$5,578,750	\$4,536,421	\$5,475,423	

The water resources program shall submit a detailed program report together with its budget request to the next legislature. The report shall detail specific activities and their related expenses together with an evaluation of the accomplishments of the activities.

The department shall not include any CETA positions within its current level budget request of the next legislature.

DEPARTMENT OF PROFESSIONAL AND  
OCCUPATIONAL LICENSING

Centralized Services		
	98,861	101,903
Abstracters	2,569	2,684
Architects	11,706	12,091
Athletics	1,000	1,000
Barbers	19,866	20,803
Chiropractors	6,216	6,529
Cosmetologists	72,077	72,543
Dentists	15,633	17,055
Electricians	296,055	302,566
Hearing Aid Distributors	2,789	2,781
Horse Racing	81,511	84,575
Massage Therapists	2,501	2,560
Medical Examiners	67,718	76,046
Morticians	7,602	7,767
Nursing	85,452	97,811
Nursing Home Administrators	17,000	18,000
Optometrists	8,232	8,374
Osteopaths	748	782
Pharmacists	53,227	55,855
Plumbers	45,601	46,632
Prof. Engineers & Surveyors	44,923	45,918
Public Accountants	48,506	50,653
Real Estate	170,000	170,000
Veterinarians	8,090	8,238
Water Well Contractors	7,490	7,623
Psychologists	3,315	3,457
Sanitarians	1,881	1,934
Private Investigators	2,021	2,127

Landscape Architects				
	2,922			3,008
Speech Pathologists				
	5,131			5,245
Warm Air Heating & Air Conditioning				
	7,379			7,596
Radiologic Technologists				
	<u>7,111</u>			<u>7,227</u>
Total Department of Professional and Occupational Licensing				
	\$1,205,133			\$1,251,383
DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES				
	29,504,544	16,114,249	33,206,354	16,298,301
Veterans' Affairs				
	<u>327,122</u>		<u>332,752</u>	
Total Department of Social and Rehabilitation Services				
	29,831,666	16,114,249	33,539,106	16,298,301

The payments for aid to families with dependent children shall not exceed, when the food stamp bonus value is included, 77.5 percent of the 1976 poverty threshold as computed by the U.S. department of commerce in fiscal 1978 or 80 percent of the 1977 threshold in fiscal 1979.

The appropriation includes \$205,143 per year for utilization review provided by the Montana foundation for medical care. In the event the federal government pays these costs, the \$102,571 general fund share shall revert.

The appropriation contains \$100,000 per year from the general fund for medical, nursing, pharmaceutical, and technical services in the treatment of chronic renal diseases. Any unspent funds shall revert at the end of the biennium.

The appropriation contains \$74,000 per year in the vocational rehabilitation program to be paid to Swan River youth forest camp. Twenty percent of this sum is state general fund moneys.

This appropriation contains funds to provide current services for 215 more developmentally disabled clients on June 30, 1979 than were receiving services from this program on July 1, 1977. It is anticipated that this 215 will include 30 children removed from state institutions. If during the biennium the department finds that the amounts appropriated are insufficient because a larger number of individuals have transferred from state institutions or because recurring program costs for services provided in June 1977 exceeded \$538,000, it shall notify the legislative finance committee. This notice shall be made prior to any major reduction of services to individuals than enrolled in programs. In this notice the department shall explain the reasons for anticipated cost overruns, the projected amount of the overrun and what action the department would take to keep expenditures within the appropriated amounts.

The appropriation contains funds to hire an additional veterans' service officer. This officer shall be located at Havre, Montana.

The appropriation to the department is based on an estimate of \$9,048,000 in fiscal 1978 and \$8,700,000 in fiscal 1979 received under authorization of Title XX of the social security act excluding special training funds which are exempt from federal ceiling on these Title XX funds.



In the amount additional Title XX funds are made available in excess of \$17,748,000 to the state in the next biennium, general fund shall revert.

## TOTAL SECTION C

\$ 37,021,618    \$ 38,394,069    \$ 40,914,459    \$ 39,095,548

## D. INSTITUTIONS

	Fiscal 1978		Fiscal 1979	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
CENTRAL OFFICE				
	5,410,125	2,591,571	6,481,965	2,480,767
Mental Health Advisory Council	21,700		21,700	
Total Central Office	5,431,825	2,591,571	6,503,665	2,480,767

Within the above appropriation of general funds are included the following amounts for grants to nonstate agencies only:

	<u>Fiscal 1978</u>	<u>Fiscal 1979</u>
Community Mental Health Centers	2,107,366	3,056,347
Juvenile Aftercare	275,000	275,000

The preceding general fund moneys are appropriated for contracts for services by nonstate entities, and any contracts for these services shall be considered grants for purposes of 79-2310(7), and the contractors may be audited pursuant to 79-2310(7).

General funds will be allocated by the department to the community mental health centers upon proof of services. To the extent that a mental health center's unencumbered cash reserves exceed 14.3% of funds other than general funds, general funds shall be withheld by the department until the unencumbered cash reserve equals 14.3% of other funds. General funds for mental health grants shall be reverted by the department in the amount that total other funds available to all community mental health centers exceeds \$7,160,278 for the biennium.

All funds for community mental health programs shall pass through the state treasury for accounting purposes.

In the event House Bill 738 fails, the general fund appropriation to the central office is reduced \$28,165 for the biennium.

Pursuant to 82A-108 the mental health advisory council is allocated to the department of institutions for administrative purposes.

BOULDER RIVER SCHOOL AND  
HOSPITAL

7,156,633	256,000	7,111,358	256,000
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Pursuant to 79-1019, in the event the average daily population is greater than 237.5 during fiscal 1978, a budget transfer from the fiscal 1979 budget may be approved in the amount of \$14,508 for each resident in excess of 237.5.

In the event the average daily population is less than 237.5 during fiscal 1978, a general fund reversion shall be made in an amount calculated as follows: subtract the actual average daily population from 237.5 and multiply by \$14,508. In the event the average daily population is lower than 213.5, the budget director shall increase the per resident reversion.

In the event the average daily population is less than 212.5 during fiscal 1979, a general fund reversion shall be made in an amount calculated as follows: subtract the actual average daily population from 212.5 and multiply by \$15,669. In the event the average daily population is lower than 188.5, the budget director shall increase the per resident reversion.

In the event the average daily population for the 1979 biennium is estimated to exceed 225, the forty-sixth legislature shall consider a supplemental appropriation.

#### CENTER FOR THE AGED

1,296,013		1,320,448	
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#### EASTMONT TRAINING CENTER

435,508	51,000	431,628	51,000
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Other funds are those authorized under Title I of the Elementary and Secondary Education Act.

#### GALEN STATE HOSPITAL

2,775,698	995,617	2,830,881	985,282
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#### MOUNTAIN VIEW SCHOOL

1,084,553	34,924	1,108,264	38,166
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#### PINE HILLS SCHOOL

1,758,756	171,648	1,793,558	165,479
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#### STATE PRISON

5,529,683	1,333,738	5,773,245	1,263,166
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#### SWAN RIVER YOUTH FOREST CAMP

436,001	125,992	447,021	126,580
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#### VETERANS' HOME

152,072	572,006	145,159	587,497
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Notwithstanding section 80-1603(8), 'other funds' includes \$256,518 in fiscal 1978 and \$272,009 in fiscal 1979 of patient reimbursements to be used for operating the home.

#### WARM SPRINGS STATE HOSPITAL

10,793,140	402,928	11,152,710	346,647
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Pursuant to 79-1019, in the event the average daily population is greater than 500 during fiscal 1978, a budget transfer from the fiscal 1979 budget may be approved in the amount of \$9,543 for each resident in excess of 500.

In the event the average daily population is less than 500 during fiscal 1978, a general fund reversion shall be made in an amount calculated as follows: subtract the actual average daily population from 500 and multiply by \$9,543.

In the event the average daily population is less than 500 during fiscal 1979, a general fund reversion shall be made in an amount calculated as follows: subtract the actual average daily population from 500 and multiply by \$9,700.

In the event the average daily population for the 1979 biennium is estimated to exceed 500, the forty-sixth legislature shall consider a supplemental appropriation.

## BOARD OF PARDONS

70,960

70,556

Pursuant to 82A-804(4) each board member shall be compensated \$25 per day for every full day of board business.

## CHILDREN'S CENTER

100,000

105,000

Unexpended balance shall revert to the general fund upon sale of the institutions.

## TOTAL SECTION D

\$ 37,020,842    \$ 6,535,424    \$ 38,793,493    \$ 6,300,584

## E. OTHER EDUCATION

Fiscal 1978

Fiscal 1979

General  
Fund

Other  
Appropriated  
Funds

General  
Fund

Other  
Appropriated  
Funds

## BOARD OF PUBLIC EDUCATION

Board Costs

18,550

18,550

Office - Administration

47,337

46,632

Fire Service Training Academy

137,162140,421

Total Board of Public  
Education

203,049

205,603

## SUPERINTENDENT OF PUBLIC INSTRUCTION

1,238,522

3,023,210

1,297,969

3,071,709

Regional Service Centers

1,661,000

1,661,000

School Lunch

582,865

655,705

School Transportation

3,268,000

3,606,000

Traffic Education

654,505

690,282

Five Vocational Education  
Centers

3,332,682

1,700,256

3,387,039

1,772,147

Secondary and Other  
Vocational Education

494,943247,472

Total Superintendent of  
Public Instruction

\$8,917,012

\$7,038,971

\$9,194,185

\$7,195,138

Included in other funds appropriated is \$329,710 in fiscal 1978 and \$347,634 in fiscal 1979 which can be used for internal transfers only.

The office of superintendent of public instruction shall include that portion of state funding of the maximum-general-fund-without-a-vote which supports vocational education programs within the aggregate expenditures for vocational education to comply with the provisions of P.L. 94-482 as amended.

# **SUPERINTENDENT OF PUBLIC INSTRUCTION**

(1) Foundation Support				
	28,820,000		26,760,000	
(2) Permissive				
	<u>6,110,000</u>	<u>8,100,000</u>	<u>11,010,000</u>	<u>8,100,000</u>
Total Superintendent of Public Instruction				
	\$34,930,000	\$ 8,100,000	\$37,770,000	\$ 8,100,000

The appropriation in item (2) is made to the permissive levy account and notwithstanding 75-6922(3) shall be used to offset a permissive levy deficiency.

All revenues received under provisions of 75-6916 for state equalization aid are appropriated.

'Other appropriated funds' is revenue received by the state under provisions of P.L. 94-488, the federal revenue sharing extension act. Revenue sharing received by the state in excess of the amounts appropriated may be spent only to reduce the levies authorized under the provisions of 75-6921 and 75-6922(3).

## **ADVISORY COUNCIL FOR VOCATIONAL EDUCATION.**

	50,000		50,000
STATE LIBRARY COMMISSION			
	317,000	230,915	317,000
On-Line Reference System			237,013
	<u>25,000</u>	<u>25,000</u>	<u>25,000</u>
Total Library Commission			
	\$317,000	\$255,915	\$317,000
			\$262,013

No additional general fund shall be allocated by the budget director to this agency for employee pay increases. Such increases shall be paid from federal funds. Federal funds received in excess of the appropriated and in excess of the amount needed for employee raises shall be passed through as grants to local libraries.

## **MONTANA HISTORICAL SOCIETY**

Administration, Library and Archives, and Museum and Gallery Programs				
	387,741	45,000	389,889	45,000
Magazine and Merchandising Programs				
		130,000		130,000
Magazine and Merchandising, Cost of Goods Sold				
	<u>300,000</u>	<u>300,000</u>	<u>300,000</u>	<u>300,000</u>
Total Historical Society				
	\$387,741	\$475,000	\$389,889	\$475,000

Of the other funds appropriated for the museum program, \$20,000 is restricted to contracted artifact and painting conservation.

Magazine and merchandising program personal services, operating expenses, excluding cost of goods sold, and capital will not exceed \$130,000 a year.



## MONTANA ARTS COUNCIL

	55,624	20,743	57,232	20,852
Local Community Grants	5,000		5,000	
Jeanette Rankin Statue	5,000			
	<u>5,000</u>			
Total Arts Council	\$65,624	\$20,743	\$62,232	\$20,852

The general fund grant money is to be used for helping local communities match federal grant funds.

General fund appropriated for the statue is to fund house joint resolution 41, forty-third legislature. Matching funds are expected for costs over \$5,000.

## SCHOOL FOR DEAF AND BLIND

1,071,361	395,500	1,112,509	407,943
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## TOTAL SECTION E

\$45,891,787	\$16,336,129	\$49,051,418	\$16,510,946
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## F. HIGHER EDUCATION

For units of the university system other than the office of the commissioner of higher education, the appropriations made under the column heading, 'Other Appropriated Funds', are from funds within current unrestricted funds unless otherwise indicated.

All funds, other than those specifically appropriated herein, may be spent and are appropriated contingent upon approval by the board of regents by July 1 of each year of a comprehensive program budget containing a detail of revenues and expenditures and anticipated fund balances of current funds, loan funds, endowment funds, and plant funds.

Programs for the university budgets include instruction, organized research, public service, academic support, institutional support and operation and maintenance of plant.

	Fiscal 1978		Fiscal 1979	
	General Fund	Other Appropriated Funds	General Fund	Other Appropriated Funds
BOARD OF REGENTS				
	14,145		14,145	
COMMISSIONER OF HIGHER EDUCATION				
(1) Office Administration	511,773	40,000	534,407	40,000
(2) WAMI	827,601		1,169,196	
(3) WICHE-Student Program Assistance	1,343,600		1,275,800	
(4) WICHE-Administrative Dues	28,000		28,000	
(4) (a) Administrative Dues	11,000		11,000	
(5) NDEA	80,000		80,000	

(6) University of Minnesota Rural Dentistry				
230,000			228,438	
(7) Federal Incentive Matching Money				
174,000	174,000	180,000		180,000
(8) Accounting System Improvements				
400,000				
(9) Data Processing Capabilities				
270,875				
Total Commission of Higher Education				
\$3,876,849	\$214,000	\$3,506,841		\$220,000

The above appropriations may be spent only for the purposes specified.

The appropriation in item (4)(a) shall be used to pay WICHE dues contingent upon the western governors' policy council recommendation to pay the increased dues totaling \$39,000 a year.

The appropriation in item (8) shall be used during the biennium to fully integrate university accounting with the statewide budget and accounting system and may be spent only upon approval by the budget director of each expenditure item. It is the intent of the legislature that a uniform accounting manual be developed and that accounting procedures be made uniform among the university units.

The appropriation in item (9) shall be used to develop additional data processing capabilities at western Montana college and at northern Montana college and may be spent only upon approval by the budget director.

#### COMMUNITY COLLEGES

Flathead Community College				
863,536			914,331	
Miles Community College				
485,250			547,673	
Dawson Community College				
506,792			530,275	
Total Community Colleges				
\$1,855,578			\$1,992,279	

The above appropriations provide 65 percent of the respective operating budgets that shall be approved by the board of regents pursuant to 75-8128.

#### UNIVERSITY OF MONTANA

Instructional Faculty				
200,000				
Personal Services				
8,888,530	6,695,279	9,348,990		7,022,505
Operating Expenses				
1,818,479	1,371,835	1,891,218		1,426,709
Capital				
457,090	389,373	502,131		378,800
Scholarships and Fellowships				
	545,105			545,105
Total University of Montana				
\$11,364,099	\$9,001,592	\$11,742,339		\$9,373,119

The appropriation for instructional faculty is to partially offset the decrease in faculty required. In addition to the above appropriation, the university of Montana may carry unexpended general fund in an amount not to exceed \$300,000 from the biennium ending June 30, 1977, into the fiscal year ending June 30, 1978, and such funds are appropriated.

**MONTANA STATE UNIVERSITY**

Personal Services				
	9,596,805	7,637,592	10,330,608	8,059,440
Operating Expenses				
	1,774,791	1,394,479	1,846,042	1,450,462
Capital				
	549,572	431,807	582,546	457,715
Scholarships and Fellowships				
		558,199		558,199
<hr/>				
Total Montana State University	\$11,921,168	\$10,022,077	\$12,759,196	\$10,525,816

**EASTERN MONTANA COLLEGE**

Personal Services				
	3,335,366	2,083,406	3,564,160	2,234,121
Operating Expenses				
	583,853	389,236	610,715	407,144
Capital				
	110,671	73,780	117,311	78,207
Scholarships and Fellowships				
		265,251		265,251
Computer				
	235,000			
<hr/>				
Total Eastern Montana College	\$4,264,890	\$2,811,673	\$4,292,186	\$2,984,723

General fund appropriated for the computer is for eastern Montana college to buy the university of Montana's old computer.

**MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY**

Personal Services				
	1,331,552	832,402	1,424,075	869,665
Operating Expenses				
	264,726	169,251	288,083	176,568
Capital				
	50,906	32,546	54,845	33,614
Scholarships and Fellowships				
		71,316		71,316
Computer				
	60,000			
<hr/>				
Total Montana College of Mineral Science and Technology	\$1,707,184	\$1,105,515	\$1,767,003	\$1,151,163

The \$60,000 computer appropriation is to pay off Montana college of mineral science and technology's internal loan for the computer.

#### WESTERN MONTANA COLLEGE

Personal Services				
	1,138,414	454,285	1,212,119	480,729
Operating Expenses				
	184,815	71,873	192,236	74,720
Capital				
	35,022	13,620	36,283	15,278
Scholarships and Fellowships				
		50,470		50,470
Total Western Montana College	\$1,358,251	\$590,248	\$1,440,638	\$621,197

#### NORTHERN MONTANA COLLEGE

Personal Services				
	1,887,475	689,433	1,955,052	769,879
Operating Expenses				
	237,952	88,010	247,471	91,530
Capital				
	90,502	33,473	95,932	35,482
Scholarships and Fellowships				
		132,785		132,785
Total Northern Montana College	\$2,215,929	\$ 943,701	\$2,298,455	\$1,029,676

#### COOPERATIVE EXTENSION SERVICE

Current Unrestricted				
	1,146,596	1,247,607	1,223,190	1,309,312
Restricted				
		780,236		738,946
Total Cooperative Extension Service	\$1,146,596	\$2,027,843	\$1,223,190	\$2,048,258

#### AGRICULTURAL EXPERIMENT STATION

	2,838,216	1,992,361	3,037,250	2,086,541
U.S. Range Station		637,413	150,000	534,374
Hanson Property		75,000		
Roberts Property		7,752		7,276
Total Agricultural Experiment Station	\$2,838,216	\$2,712,526	\$3,187,250	\$2,628,191

The U.S. Range Station expenditures shall not exceed those appropriated and the U.S. Range Station account shall revert all funds over \$100,000 ending balance on June 30, 1979 to the state general fund.

The Hanson property appropriation is to continue the provisions of House Bill 581, forty-third legislature. Any funds remaining from this amount at the end of fiscal 1978 may be carried forward to the fiscal year ending June 30, 1979.



The Roberts property appropriation is for payment of the contract for deed between Milo C. Roberts and Edith Z. Roberts for the use and benefit of the agricultural experiment station.

## BUREAU OF MINES

	735,448	80,000	777,615	85,000
Groundwater Study	<u>140,000</u>	<u>          </u>	<u>          </u>	<u>          </u>
Total Bureau of Mines	\$875,448	\$80,000	\$777,615	\$85,000

General fund appropriated for the groundwater study is to continue research mandated by H.J.R. 54 passed by the 44th legislature. Any of the \$140,000 not used on the groundwater study by June 30, 1979, shall revert to the general fund.

## TOTAL SECTION F

\$43,438,353    \$29,509,175    \$45,001,137    \$30,667,143

## GRAND TOTAL

\$198,505,365    \$287,166,545    \$209,429,539    \$287,361,791"

And as amended, do pass. Report adopted.

HB 296, second reading copy, be amended as follows:

1. Amend page 5, section 8, line 4.

Following: "basis"

Strike: "or as otherwise provided by law"

Following: "law."

Insert: "Notwithstanding 11-1024(2)(b), a person employed under this act is entitled to only a prorated health insurance premium contribution from the employer."

And as amended, do pass. Report adopted.

## TAXATION (Huennekens, Chairman):

3/29/77

SB 87, be not concurred in.

SB 102, be concurred in. Report adopted.

SB 112, be concurred in. Report adopted.

## STATE ADMINISTRATION (Brand, Chairman):

3/29/77

SB 71, third reading copy, be amended as follows:

1. Amend page 3, section 2, line 14.

Following: "(35,000)"

Strike: "41,000"

Insert: "35,000"

2. Amend page 3, section 2, line 15.

Following: "(20,500)"

Strike: "30,000"

Insert: "25,000"

3. Amend page 3, section 2, line 18.

Following: line 17

Strike: "39,500"

Insert: "36,000"

4. Amend page 3, section 2, line 20.

Following: "(39,000)"

Strike: "38,500"

Insert: "35,000"

5. Amend page 3, section 2, line 22.

Following: "(32,500)"

Strike: "35,000"

Insert: "32,500"

6. Amend page 3, section 2, line 23.

Following: "(18,000)"

Strike: "25,000"

Insert: "22,500"

7. Amend page 3, section 2, line 25.

Following: "(38,000)"

Strike: "30,000"

Insert: "27,500"

8. Amend page 4, section 2, line 1.

Following: "(18,000)"

Strike: "25,000"

Insert: "22,500"

9. Amend page 4, section 2, line 3.

Following: "18,000"

Strike: "25,000"

Insert: "22,500"

10. Amend page 4, section 3, line 9.

Following: "(40,000)"

Strike: "35,000"

Insert: "32,500"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 120, third reading copy, be amended as follows:

1. Amend title, line 5.

Following: line 4

Strike: "suspension"

Insert: "approval"

2. Amend title, line 7.

Following: "amending"

Strike: "section"

Insert: "sections"

Following: "(82-4205)"

Strike: "82-4207"

Insert: "82-4203.5 and 82-4205"

3. Amend the bill, pages 1 through 2.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Section 82-4203.5, R.C.M. 1947, is amended to read as follows:

'82-4203.5. Powers of the committee. (1) The committee shall review all proposed rules referred to it under section 82-4204 and may:

(a) prepare written recommendations for the adoption, amendment or rejection of a rule and submit those recommendations to the department proposing the rule when a rule-making hearing will not be held in accordance with the provisions of section 82-4204;

(b) prepare recommendations for the adoption, amendment or rejection of a rule and submit oral or written testimony at a rule-making hearing; (or)

(c) request that a rule-making hearing be held in accordance with the provision of section 82-4204(.); or

(d) if the legislature is not in session, poll all members of the legislature by mail to determine whether a proposed rule is consistent with the intent of the legislature, provided that the poll shall include an opportunity for the agency to present a written justification for the rule to the members of the legislature.

(2) The committee shall prepare a report to the legislature at least once each biennium and may recommend amendments to the Administrative Procedure Act or the repeal, amendment or adoption of a rule as provided in section 82-4203.1.'

Section 2. Section 82-4205, R.C.M. 1947, is amended to read as follows:

'82-4205. Filing of rules — effective date of rules. (1) On or before the 60th day following the effective date of this act, each agency shall file with the secretary of state a certified copy of each rule adopted by it on or before the effective date of this act and remaining in effect. Any rule not so filed shall be deemed to have been abrogated by the agency and shall be void and of no effect.

(2) Each agency shall file with the secretary of state a certified copy of each rule adopted by it subsequent to the effective date of this act. Each rule shall become effective (ten()10()) days after publication in the Montana administrative register or code as provided in section 6 82-4206 of this act, except that:

(a) (If) if a later date is required by statute or specified in the rule, the later date shall be the effective date.

(b) (Subject) subject to applicable constitutional or statutory provisions, an emergency rule shall become effective immediately upon filing with the secretary of state, or at a stated date less than (ten()10()) days following publication in the Montana administrative code or register, if the agency finds that this effective date is necessary because of imminent peril to the public health, safety or welfare. The agency's finding and a brief statement or reasons therefor shall be filed with the rule. The agency shall take appropriate measures to make emergency rules known to every person who may be affected by them.

(3) The secretary of state may prescribe a format, style and arrangement for rules which are filed pursuant to this act and may refuse to accept the filing of any rule that is not in substantial compliance therewith. He shall keep and maintain a permanent register of all rules filed (including superseded and repealed rules), which shall be open to public inspection, and shall provide copies of any rule upon request of any person or agency. Unless otherwise provided by statute, the secretary of state may require the payment of the cost of providing such copies.

(4) In the event that the administrative code committee has conducted a poll of the legislature in accordance with 82-4203.5, the results of the poll shall be published with the rule, and shall be admissible in any court proceeding involving the validity of the

rule. In the event that the poll determines that a majority of the members of both houses find the proposed rule is contrary to the intent of the legislature, the rule shall be conclusively presumed to be contrary to the legislative intent in any court proceeding involving its validity.”

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

### REPORTS OF SELECT COMMITTEES

#### JOINT CONFERENCE COMMITTEE

##### ON HOUSE BILL NO. 126

Report No. 2, March 29, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 126, met March 24, 1977, and considered:

Senate Committee of the Whole Amendment dated March 14, 1977, and recommend as follows:

Having had under consideration Senate Committee of the Whole Amendment dated March 14, 1977,

That the Senate recede from amendment number 1, which reads as follows:

1. Amend page 4, section 1, lines 2 through 6.

Following: “(laws.)”

Strike: lines 2 through 6 in their entirety

Insert: “Any dog found pursuing, harassing, attacking, or killing hooved game animals may be destroyed, on private lands with written permission of the landowner or on public lands, without criminal or civil liability, by any peace officer, warden, or other person authorized to enforce the Montana fish and game laws.”

And further that House Bill No. 126, third reading bill, be amended as follows:

1. Amend title, lines 6 and 7.

Following: “dogs”

Strike: “pursuing, harassing,”

Following: “attacking”

Strike: “,”

2. Amend page 4, section 1, line 4.

Following: “dog”

Strike: “pursuing, harassing,”

3. Amend page 4, section 1, line 5.

Following: “attacking”

Strike: “,”

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 126, be adopted.

FOR THE SENATE:

MANLEY  
MATHERS  
THOMAS

FOR THE HOUSE:

CONROY  
R. BAETH  
EUDAILY



Report adopted.

### MESSAGES FROM THE GOVERNOR

March 29, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Sir:

This is to inform you that I have this day approved House Bill Nos. 19, 26, 62, 101, 104, 111, 221, 227, 230, 237, 244, 273, 291, 314, 339, 343, 349, 408, 430, 472, 497, 529, 535, 540, 542, 546, 581, 591 and 656.

Sincerely,

THOMAS L. JUDGE  
Governor

March 29, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 2, 46, 92, 94, 133, 174, 218, 220, 272, 281, 288, 321, 334, 398 and 414.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

3/29/77  
Free Joint Conference Committee Report on House Bill No. 46 was adopted on roll call vote.

3/29/77  
Governor's Amendments to House Bill No. 196 were adopted on roll call vote, and returned to the House.

### MOTIONS

Meloy moved that the conference committee on HB 125 be dissolved and that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on HB 125. Motion carried.

Meloy moved that HB 560 be rereferred from the Committee on Appropriations to Third Reading. Motion carried.

Meloy moved that the rules be suspended and that the House receive appropriation and revenue bills from the Senate up through the 77th Legislative Day. Motion carried.

Roth moved that the rules be temporarily suspended to allow the introduction of a resolution to allow the labeling of beef produced in foreign countries. Motion carried.

Ramirez moved that the House reconsider its action taken today in adopting the adverse committee report on SB 419. Motion carried.

Shelden moved that SB 167 be rereferred from the Committee on Natural Resources to the Committee on Appropriations. Motion carried.

Meloy moved that the House adjourn until 1:30 p.m., March 30, 1977.

Motion carried.

House adjourned at 5:45 p.m.

JOHN B. DRISCOLL, Speaker

EDWIN A. SMITH, Assistant Chief Clerk

## SEVENTY-THIRD LEGISLATIVE DAY

Helena, Montana  
March 30, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-second Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

Correctly printed - HB 145. 3/29/77

Correctly printed - HJR 94. 3/30/77

Correctly enrolled - HB 414, HB 677, HJR 3, HJR 45, HJR 72, HJR 73.

Correctly engrossed - HB 630.

Were signed by the Speaker on adjournment, 3/29/77 - HB 63, HB 108, HB 202, HB 308, HB 437, HB 495, HB 623, HB 637, HB 641, HB 645, HB 755, HB 759, HB 764, HJR 36, HJR 49, HJR 60, HJR 78.

### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman): 3/30/77

Recommend that the following be terminated by the House of Representatives for the 45th Session at the close of business March 26, 1977:

Molly Conroy.....Page  
Steven Carney .....Assistant Sergeant-At-Arms

Report adopted

### AGRICULTURE, LIVESTOCK and IRRIGATION

(Day, Chairman): 3/29/77

HJR 91, introduced copy, be amended as follows:

1. Amend page 1, line 22.

Following: line 21

Strike: "seven"

Insert: "10"

2. Amend page 2, line 1.

Following: line 25, page 1

Strike: "three"

Insert: "six"

Following: "producers"

Insert; "or directly connected with livestock oriented state organizations or associations"

And as amended, do pass. Report adopted.

SB 114, be not concurred in.

SB 124, third reading copy, be amended as follows:

1. Amend page 36, section 15, line 16.

Following: "wastes"

Strike: "as defined in Title 69, chapter 40,"

2. Amend page 36, section 15, line 17.

Following: "wastes"

Strike: "as defined in Title 69, chapter 40"

3. Amend page 36.

Following: line 18

Insert: "(3) For the purpose of this section, solid waste means all putrescible and nonputrescible wastes including but not limited to garbage; rubbish, refuse; hazardous wastes; ashes; sludge from sewage treatment plants, water supply treatment plants, or air pollution control facilities; construction and demolition wastes; dead animals, including offal; discarded home and industrial appliances; and wood products or wood by-products and inert materials. Solid waste does not mean municipal sewage, industrial wastewater effluents, mining wastes regulated under the mining and reclamation laws administered by the department of state lands, slash and forest debris regulated under laws administered by the department of natural resources and conservation, or marketable wood by-products.

(4) For the purpose of this section hazardous waste means any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form which may cause or contribute to an increase in mortality or an increase in serious illness, taking into account the toxicity of the waste, its persistence and degradability in nature, its potential for assimilation or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms. Hazardous wastes include but are not limited to those which are toxic, radioactive, corrosive, flammable, irritants, strong sensitizers, or which generate pressure through decomposition, heat, or other means, excluding wood chips and wood used for manufacturing or fuel purposes."

And as amended, be concurred in. Report adopted.

SB 135, third reading copy, be amended as follows:

1. Amend title, line 9.

Following: "(45-421)"

Strike: "45-420"

Insert: "45-421"

2. Amend page 1, section 1, line 17.

Following: "(45-421)"

Strike: "45-420"

Insert: "45-421"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

Objection raised by Ramirez on 3/29/77 on adverse committee report on SB 419. Referred to Second Reading.

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on SB 173 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Colburn, Conroy, Courtney, Cox, Curtiss, Day, Dussault, Ellerd, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, J. Gunderson, Halvorson,



Hand, Hirsch, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kessler, Kropp, Lien, Lory, Lynch, McLane, Marks, Meloy, Menahan, Meyer, Moore, O'Connell, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Severson, Shelden, Smith, South, Stobie, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 64

Noes: Aageson, Bertelsen, Brand, Cooney, Ellison, Harper, Johnston, Keyser, Lund, Metcalf, Nathe, Ryan, Seifert, Sivertsen, Staigmiller, Teague, Uhde.

Total 17

Excused: None.

Total 0

Absent or not voting: Bardanoue, Burnett, Dassinger, Davis, Ellis, Gerke, E. Gunderson, Hansen, Harrington, Holmes, Kenny, Kimble, Kvaalen, Manuel, Mular, O'Keefe, Palmer, Scully, Waldron.

Total 19

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on SB 247 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanoue, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Day, Dussault, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Holmes, Hurwitz, Jensen, Kanduch, Kennerly, Kessler, Keyser, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, Robbins, Seifert, Severson, Shelden, South, Staigmiller, Tower, Tropila, Uhde, Vincent, Vinger, Williams, Mr. Speaker.

Total 60

Noes: Aageson, Barrett, Brand, Burnett, Curtiss, Davis, Ellerd, Ernst, Hand, Hansen, Hirsch, Johnston, Kenny, Kropp, Kvaalen, Ryan, Sivertsen, Smith, Stobie, Teague, Turner, Underdal, Wood, Wyrick.

Total 24

Excused: None.

Total 0

Absent or not voting: Colburn, Cox, Dassinger, Ellis, Gerke, Harper, Harrington, Huennekens, Kimble, Manuel, Mular, O'Keefe, Palmer, Roth, Scully, Waldron.

Total 16

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolutions concurred in by the Senate  
and returned to the House:

3/29/77

House Bill No. 100, introduced by Harrington, Lien, Huennekens, et al

House Bill No. 157, introduced by Waldron (by request)

House Bill No. 309, introduced by South, Hurwitz, Fagg, Uhde

House Bill No. 804, introduced by State Administration Committee

House Joint Resolution No. 81, introduced by Day (by request)

Bills concurred in as amended by the Senate,  
and returned to the House

for concurrence in Senate Amendments:

3/29/77

House Bill No. 177, introduced by Menahan, Lynch

House Bill No. 324, introduced by Harrington, Lynch, Colburn, et al

House Bill No. 595, introduced by Fagg, Ramirez, Porter, et al

Bill not concurred in by the Senate  
and returned to the House:

3/29/77

House Bill No. 245, introduced by Lynch (by request)

3/29/77

Senate, on motion duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 125 and the President was authorized to appoint a Free Conference Committee on House Bill No. 125, to meet with a like committee from the House on House Bill No. 125. The Senate members will remain the same as appointed on March 14, 1977, as follows:

Senator Graham, Chairman  
Senator Turnage  
Senator Aber

### MOTIONS

Meloy moved that consideration of HB 141 be placed above HB 145 on the Second Reading board. Motion carried.

Meloy moved that the temporary House rule limiting debate on 2nd Reading to 5 minutes for each person who speaks be modified so that the subcommittee chairman who is carrying that part of HB 145 be not limited in the presentation of the subcommittee report. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

HJR 95, introduced by Menahan, Moore, Marks, Meyer, Kanduch, Keyser, Johnston, Lynch, Lien, Ryan, Kenny, Harrington, Quilici, Driscoll, Dussault. Referred to Committee on Public Health, Welfare and Safety.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 3 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Holmes, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Shelden, South, Staigmillier, Teague, Tropila, Uhde, Vincent, Waldron, Mr. Speaker.  
Total 67

Noes: Barrett, Burnett, Conroy, Day, Ellerd, Feda, Harrington, Hirsch, Hurwitz, Johnston, Kropp, Kvaalen, Lien, Lund, McLane, Nathe, Porter,

Ramirez, Seifert, Severson, Smith, Stobie, Tower, Underdal, Vinger, Williams, Wood, Wyrick.

Total 28

Excused: None.

Total 0

Absent or not voting: Bardanouve, Gerke, Scully, Sivertsen, Turner.

Total 5

House Bill No. 560 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gould, Halvorson, Hansen, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Seifert, South, Staigmilller, Stobie, Teague, Tower, Turner, Uhde, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 65

Noes: R. Baeth, Brand, Conroy, Cooney, Courtney, Day, Estenson, Frates, Gilligan, E. Gunderson, J. Gunderson, Hand, Harper, Hirsch, Jensen, Kanduch, Kenny, Manuel, Meloy, Menahan, Metcalf, Roth, Ryan, Severson, Shelden, Smith, Tropila, Underdal, Vincent, Vinger.

Total 30

Excused: None.

Total 0

Absent or not voting: Ellis, Gerke, O'Connell, Scully, Sivertsen.

Total 5

Senate Bill No. 336 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Bardanouve, Davis, J. Gunderson, Holmes, Ryan, Smith, Vinger.

Total 7

Excused: None.

Total 0

Absent or not voting: Bradley, Harrington, Scully.

Total 3

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the

Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 141 be amended as follows:

1. Amend page 2, section 2, line 17.

Following: "mill"

Strike: "levies"

Insert: "levy"

2. Amend page 2, section 2, line 18.

Following: "and"

Strike: "levy,"

3. Amend page 3, section 2, line 6.

Following: "jurisdiction"

Insert: "times the fraction obtained by dividing the fiscal year appropriation provided by the legislature less administrative costs by the statewide value of the state's share of the taxable value"

4. Amend page 3, section 3, lines 10 through 12.

Following: "Exclusions."

Strike: "No land classified as agricultural land may be included in the homestead contemplated by this act."

5. Amend page 3, section 3, line 12.

Following: "No"

Strike: "dwelling"

Insert: "homestead owner may apply for relief on a homestead"

6. Amend page 3, section 3, lines 15 and 16.

Following: "act" on line 15

Strike: "is eligible for relief under this act"

7. Amend page 4, section 5, line 4.

Following: "property"

Insert: "by April 15 of the year for which relief is provided"

8. Amend page 4, section 5, line 7.

Following: line 6

Strike: "March 31"

Insert: "June 30"

9. Amend page 4, section 5, line 12.

Following: "homestead"

Insert: "owner"

10. Amend page 5.

Following: line 11

Insert: "Section 2. Applicable tax years. This act applies only to tax years 1977 and 1978."

Renumber: subsequent section (96-0)

And as amended, do pass. (93-4)

That HB 145 be amended as follows:

1. Amend page 7, following section 14.



Following: line 19

Insert: "Section 15. Totals not appropriations. The totals shown in this act are for informational purposes only and are not appropriations."

Renumber: subsequent sections (91-0)

And be further amended:

2. Amend page 10, section 15, line 2.

Following: "161,373"

Strike: "168,583"

Insert: "176,014" (82-7)

Lund excused at this time.

And as amended, be passed for the day.

That the committee rise and report. (Moore, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/30/77

Correctly enrolled - HB 80, HB 371, HB 468, HB 523, HB 533.

Examined by Sponsors and found to be correct - HB 71, HB 236, HB 260, HB 414, HB 583, HB 677, HJR 3, HJR 45, HJR 72, HJR 73.

Will be signed by the Speaker on adjournment, 3/30/77 - SB 10, SB 22, SB 40, SB 89, SB 105, SB 134, SB 144, SB 147, SB 187, SB 260, SB 269, SB 283, SB 312, SB 322, SB 335, SB 356, SB 373, SB 395, SB 396, SB 437, SJR 8, SJR 11, SJR 36, HB 71, HB 236, HB 260, HB 414, HB 583, HB 677, HJR 3, HJR 45, HJR 72, HJR 73.

TAXATION (Huennekens, Chairman):

3/30/77

SB 65, third reading bill, be amended as follows:

1. Amend page 1, section 1, line 15.

Following: line 14

Strike: lines 15 through 17

Reletter: subsequent subsections

2. Amend page 1, section 1, line 20.

Following: "citizens"

Insert: "or sell food or beverages under license from the state of Montana"

3. Amend page 1, section 1, line 24.

Following: "(c)"

Insert: "primarily"

4. Amend page 1, section 1, line 25.

Following: "for"

Insert: "public"

5. Amend page 2, section 1, lines 1, 2 and 3.

Following: "entertainments"

Strike: "in unincorporated territory or a municipality of less than 1,500 population in the last official census"

6. Amend page 2, section 1, line 13.

Following: "leased"

Insert: "in whole or in part"

And as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman):

3/30/77

SB 48, be not concurred in.

SB 381, be not concurred in.

### REPORTS OF SELECT COMMITTEES

#### FREE JOINT CONFERENCE COMMITTEE

##### ON SENATE BILL NO. 26

Report No. 1, March 30, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 26, met March 30, 1977, and considered:

House Committee on Judiciary Amendments dated February 18, 1977,

House Committee of the Whole Amendments dated March 8, 1977, and recommended as follows:

Having had under consideration House Committee on Judiciary Amendments dated February 18, 1977,

That the Senate accede to amendment numbers 1 and 2.

Having had under consideration House Committee of the Whole Amendments dated March 8, 1977,

That the House recede from amendments numbers 1, 5, and 6, which read as follows:

1. Amend page 12, section 6, line 6.

Following: "(inch)"

Strike: "inch or"

5. Amend page 37, section 23, lines 9 and 10.

Following: "(inches)"

Strike: "inches or"

6. Amend page 37, section 23, line 12.

Following: "(measurement),"

Strike: "one inch of water, statutory measurement, or"

And further that the Senate accede to amendment numbers 2, 3, and 4.

And further that Senate Bill No. 26, third reading bill, be amended as follows:

1. Amend page 37, section 22, lines 9 and 10.

Following: "(inches)"

Strike: "inches or"

2. Amend page 37, section 22, line 12.

Following: "(measurements),"

Strike: "one inch of water, statutory measurement, or"

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on Senate Bill No. 26 be adopted.

FOR THE HOUSE:

DAY, Chairman  
SCULLY  
NATHE

FOR THE SENATE:

GRAHAM, Chairman  
ETCHART  
FLYNN

Report adopted.

**MESSAGES FROM THE GOVERNOR**

March 30, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill 30.

Sincerely,

THOMAS L. JUDGE  
Governor

**MOTIONS**

Ramirez moved that the rules be suspended to allow the late introduction of a joint resolution regarding the F.P.C.'s limitation of natural gas hookups in the Montana-Dakota Utilities area. Motion carried.

**UNFINISHED BUSINESS**

The Speaker appointed the following new free conference committee of three to meet with a like committee from the Senate on House Bill 125: Waldron, Chairman; Uhde and O'Keefe.

Meloy moved that the House adjourn until 10:00 a.m., March 31, 1977.

Motion carried.

House adjourned at 4:30 p.m.

JOHN B. DRISCOLL, Speaker

EDWIN A. SMITH, Assistant Chief Clerk





## SEVENTY-FOURTH LEGISLATIVE DAY

Helena, Montana  
March 31, 1977

House Chambers  
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair. Invocation by Representative Cooney. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-third Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/31/77

Correctly printed - HB 754.

Correctly enrolled - HB 300.

Will be signed by the Speaker on adjournment, 3/31/77 - HB 80, HB 300, HB 371, HB 468, HB 523, HB 533.

Were signed by the Speaker on adjournment, 3/30/77 - HB 71, HB 236, HB 260, HB 414, HB 583, HB 677, HJR 3, HJR 45, HJR 72, HJR 73, SB 10, SB 22, SB 40, SB 89, SB 105, SB 134, SB 144, SB 147, SB 187, SB 260, SB 269, SB 283, SB 312, SB 322, SB 335, SB 356, SB 373, SB 395, SB 396, SB 437, SJR 8, SJR 11, SJR 36.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 9:20 a.m., 3/31/77 - HB 63, HB 108, HB 116, HB 202, HB 308, HB 437, HB 495, HB 623, HB 637, HB 641, HB 645, HB 755, HB 759, HB 764.

BUSINESS AND INDUSTRY (Vincent, Chairman):

3/30/77

SB 306, third reading bill, be amended as follows:

1. Amend title, line 7.

Following: "3"

Strike: "year"

Insert: "years"

2. Amend page 3, section 2, subsection (1), line 1.

Following: "insurer"

Strike: "in an"

Following: "state"

Strike: ", or"

Insert: "and"

3. Amend page 3, section 2, subsection (1), line 3.

Following: "time"

Insert: "within such 3-year period"

4. Amend page 3, section 2, subsection (1), line 4.

Following: "notice"

Strike: ", or both"

And as amended, be concurred in. Report adopted.

SB 307, be concurred in. Report adopted.

SB 382, third reading bill, be amended as follows:

1. Amend page 1, section 1, line 12.  
Following: "regulated"  
Strike: "utility"  
Insert: "entity to the public service commission"
2. Amend page 1, section 1, lines 14 and 15.  
Following: "shall"  
Strike: "avoid duplication of effort by leaving"  
Insert: "leave"
3. Amend page 1, section 1, line 19.  
Following: "investigating"  
Strike: ", "  
Insert: "and"  
Following: "interrogating"  
Strike: ", and introducing evidence"
4. Amend page 1, section 1, line 20.  
Following: "clarify"  
Strike: "or develop"

And as amended, be concurred in. Report adopted.

SB 433, third reading bill, be amended as follows:

1. Amend page 11, section 11, lines 17 and 18.  
Following: "done"  
Strike: "(a)"
2. Amend page 11, section 11, subsection (a), line 20.  
Following: "housing"  
Strike: ", "  
Insert: "."
3. Amend page 11, section 11, subsections (b) through (d), line 21 through line 17 on page 12.  
Following: line 20  
Strike: subsections (b) through (d) in their entirety

And as amended, be not concurred in.

SB 442, be concurred in. Report adopted.

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

3/31/77

Recommend that the following be terminated at the close of business March 18, 1977:

Charlotte Solan .....Researcher

And at the close of business March 30, 1977, the following also be terminated:

Susan French.....Stenographer

Report adopted.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on SB 87 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand,

Hansen, Harper, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 79

Noes: Ernst, Kropp, Moore, Smith, Stobie, Tower, Turner, Wood.

Total 8

Excused: None.

Total 0

Absent or not voting: Bradley, Curtiss, Dassinger, Davis, Ellerd, Harrington, Hirsch, Holmes, Kimble, Lien, Palmer, Scully, Severson.

Total 13

### MESSAGES FROM THE OTHER HOUSE

Bills concurred in by the Senate,  
and returned to the House: 3/30/77

House Bill No. 186, introduced by Pistoria

House Bill No. 584, introduced by Ramirez, Fagg, Porter, et al

Bills concurred in as amended by the Senate,  
and returned to the House for concurrence  
in Senate Amendments: 3/30/77

House Bill No. 299, introduced by Ellison, R. Baeth, Johnston, et al

House Bill No. 758, introduced by South, Ramirez

Bills on Committee Report, not concurred  
in by the Senate, report adopted,  
and returned to the House: 3/30/77

House Bill No. 320, introduced by Ramirez, Scully

House Bill No. 480, introduced by Bengtson, Dussault, Gerke, et al

Bill on Committee of the Whole in the Senate  
recommended that further action  
be indefinitely postponed,  
and returned to the House: 3/30/77

House Bill No. 730, introduced by Quilici, Lynch, et al

Senate, on motion duly carried, requests the  
return of the following bills  
for further consideration: 3/30/77

House Bill No. 245, introduced by Lynch

House Bill No. 299, introduced by Ellison, R. Baeth, et al

Senate acceded to the request of the House  
and returns Senate Bill No. 419 to the  
House for further consideration. 3/30/77

The following House Amendments to Senate Bills  
concurred in by the Senate: 3/30/77

House Amendments to Senate Bill No. 27, introduced by Blaylock

House Amendments to Senate Bill No. 53, introduced by Towe, Turnage

House Amendments to Senate Bill No. 118, introduced by McOmber, Watt, Mathers

House Amendments to Senate Bill No. 365, introduced by Roberts

House Amendments to Senate Bill No. 386, introduced by Murray, et al

House Amendments to Senate Bill No. 426, introduced by Murray, et al

### MOTIONS

Meloy moved that the House accede to the request of the Senate and return HB 245 and HB 299 to the Senate for their consideration. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 630 was passed by the following vote:

Ayes: Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cooney, Courtney, Dassinger, Dussault, Ellis, Estenson, Fabrega, Fagg, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Holmes, Huennekens, Kanduch, Kennerly, Kenny, Kessler, Lien, Lory, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 54

Noes: Aageson, R. Baeth, W. Baeth, Brand, Burnett, Conroy, Cox, Curtiss, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Feda, Gerke, Gould, Hand, Hurwitz, Jensen, Johnston, Keyser, Kropp, Kvaalen, Manuel, Nathe, Pistoria, Robbins, Roth, Ryan, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 41

Excused: None.

Total 0

Absent or not voting: Hirsch, Kimble, Lund, McLane, Severson.

Total 5

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 145 be amended as follows:



1. Amend page 13, section 15, line 11.

Following: "amount of"

Strike: "\$336,175"

Insert: "\$444,146" (50-40)

That the committee rise and report, and beg leave to sit again. (Moore, Chairman) Report adopted.

House recessed at 12:00 noon.

House resumed at 1:30 p.m.

Mr. Speaker in the Chair.

## REPORTS OF STANDING COMMITTEES

TAXATION (Huennekens, Chairman):

3/31/77

SB 97, third reading copy, be amended as follows:

1. Amend in the title, line 8.

Following: "1947"

Insert: "; and providing an effective date"

2. Amend page 3, section 1, line 8.

Following: line 8

Insert: "Section 2. Effective date. This act is effective January 1, 1978."

And as amended, be not concurred in.

Objection raised by Uhde on 3/31/77 on adverse committee report on SB 97. Referred to Second Reading.

Objection raised by Fabrega on 3/31/77 on adverse committee report on SB 48. Referred to Second Reading.

Will be signed on adjournment on 3/31/77 - SB 4, SB 17, SB 128, SB 138, SB 178, SB 181, SB 207, SB 219, SB 241, SB 258, SB 261, SB 287, SB 300, SB 316, SB 326, SB 393, SB 420, SJR 14, SJR 16, SJR 17, SJR 23, SJR 24.

Examined by Sponsors and found to be correct - HB 80, HB 300, HB 371, HB 468, HB 523, HB 533.

## FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

HB 837, introduced by Brand. Referred to Committee on Business and Industry.

HJR 96, introduced by Roth, Aageson, Sivertsen, Day, Kropp, Moore, Nathe, McLane, Porter, Fabrega, Ernst, Burnett, Wyrick, Feda, Severson, Keyser, Williams, Vinger, Ellison, Meyer, Jensen. Referred to Committee on Agriculture, Livestock and Irrigation.

HJR 97, introduced by Ramirez, Porter. Referred to Committee on Natural Resources.

HJR 98, introduced by Williams, Huennekens, Fabrega. Referred to Committee on Taxation.

HJR 99, introduced by Williams, Huennekens, Scully. Referred to Committee on Taxation.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 145 be amended as follows:

1. Amend page 13, line 2.  
Following: line 1  
Strike: "\$4,937,298"  
Insert: "\$4,990,595"  
Following: "\$6,206,199"  
Strike: "\$5,497,586"  
Insert: "\$5,552,260" (80-9)

And be further amended:

1. Amend page 9, line 15.  
Strike: "928,414"  
Insert: "953,414"  
Following: "928,414"  
Strike: "886,720"  
Insert: "911,720" (55-32)

And be further amended:

1. Amend page 18, line 23.  
Following: line 22  
Strike: "135,161"  
Insert: "105,161"  
Following: "79,750"  
Strike: "132,429"  
Insert: "102,429" (50-48)

And be further amended:

1. Amend page 19, section 15, line 18.  
Strike: "704,426" "1,164,516" "718,224" "1,174,157"  
Insert: "714,336" "1,337,215" "728,362" "1,361,230"

(84-7)

And be further amended:

1. Amend page 20, line 2.  
Following: "6,238,506"  
Strike: "6,410,940"  
Insert: "6,238,506" (51-40)

And be further amended:

1. Amend page 21, section 15, line 17.  
Following: line 16  
Strike: "124,539"  
Insert: "224,539"  
Following: "32,761"  
Strike: "125,424"

Insert: "225,424"

2. Amend page 22, section 15, line 1.

Following: page 21, line 25

Strike: "\$4,406,335"

Insert: "\$4,506,335"

Following: "\$5,578,750"

Strike: "\$4,536,421"

Insert: "\$4,636,421" (74-17)

And as amended, be passed for the day.

That the committee rise and report. (Moore, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

3/31/77

Correctly printed - HB 482, HJR 91.

Correctly enrolled - HB 28, HB 175, HB 196, HB 305, HB 404, HB 553, HB 742.

Will be signed by the Speaker on adjournment, 3/31/77 - HB 28, HB 175, HB 196, HB 305, HB 404, HB 553, HB 742.

Examined by Sponsors and found to be correct - HB 28, HB 175, HB 196, HB 305, HB 404, HB 553, HB 742.

On motion by Harper, and in accordance with the 24-hour rule, the adverse committee report on SB 381 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Gilligan, Gould, E. Gunderson, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lien, Lory, Meloy, Menahan, Metcalf, Meyer, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Shelden, Sivertsen, South, Staigmillar, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 63

Noes: Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Feda, Hand, Keyser, Kropp, Kvaalen, Lund, McLane, Marks, Moore, Nathe, Severson, Smith, Stobie, Turner, Vinger, Wood, Wyrick.

Total 24

Excused: None.

Total 0

Absent or not voting: Fabrega, Frates, Gerke, J. Gunderson, Halvorson, Hirsch, Lynch, Manuel, Mular, Quilici, Scully, Seifert, Tower.

Total 13

On motion by Kimble, and in accordance with the 24-hour rule, the adverse committee report on SB 114 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fagg, Frates, Gilligan, Gould, E. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lory, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, South, Staigmillar,

Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Mr. Speaker.

Total 71

Noes: Barrett, Burnett, Ellerd, Feda, Hansen, Johnston, Lien, Lund, Moore, Nathe, Smith, Vinger, Wood, Wyrick.

Total 14

Excused: None.

Total 0

Absent or not voting: Davis, Ernst, Fabrega, Gerke, J. Gunderson, Halvorson, Jensen, Kropp, Kvaalen, Lynch, Quilici, Scully, Seifert, Tower, Waldron.

Total 15

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE

#### ON HOUSE BILL NO. 125

Report No. 1, March 30, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 125, met March 30, 1977, and considered:

Senate Committee of the Whole Amendments dated March 3, 1977, and recommend as follows:

That the Senate recede from Senate Committee of the Whole Amendment dated March 3, 1977, reading as follows:

1. Amend page 2, section 1, line 10.

Following: "satisfaction."

Strike: "Failure"

Insert: "When transferor is a licensed dealer, failure"

And further that House Bill No. 125, third reading bill, be amended as follows:

1. Amend title, line 10.

Following: "of"

Strike: "\$15"

Insert: "\$10"

2. Amend page 2, line 15.

Following: "(said)"

Strike: "\$15"

Insert: "\$10"

3. Amend page 9, line 2.

Following: line 1

Strike: "\$15"

Insert: "\$10"

4. Amend page 10, line 3.

Following: "(((\$25))"

Strike: "\$15"

Insert: "\$10"

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 125 be adopted.



FOR THE HOUSE:

WALDRON  
UHDE  
O'KEEFE

FOR THE SENATE:

TURNAGE  
GRAHAM  
ABER

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 352  
Report No. 1, March 31, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 352, met March 31, 1977, and considered:

Senate Committee on Judiciary Amendments dated March 11, 1977,

Senate Committee of the Whole Amendments dated March 15, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 11, 1977,

That the Senate recede from amendment numbers 1 and 2, reading as follows:

1. Amend title, line 8.

Following: “,”

Strike: “and providing an immediate effective date”

Insert: “subject to rebate with interest”

2. Amend page 4, section 2, lines 11 and 12.

Following: line 10

Strike: section 2 in its entirety

Having had under consideration Senate Committee of the Whole Amendments dated March 15, 1977:

That the House accede to amendment numbers 1 and 2,

And that the Conference Committee Report on House Bill No. 352 be adopted.

FOR THE HOUSE:

SCULLY  
QUILICI  
LORY

FOR THE SENATE:

REGAN  
TOWE  
LOWE

Report adopted.

NOTATION:

We, your joint conference committee, based in part our recommendations upon the express assurance of the Public Service Commission that certain rules and regulations will be adopted within 45 days from March 30, 1977, as evidenced by Public Service Commission letter dated March 30, 1977, a copy of which is attached to this report, marked Exhibit “A” and by this reference made a part hereof.

March 30, 1977

Hon. Pat Regan  
State Capitol  
Helena, Montana 59601

Dear Senator Regan:

This letter will confirm our conversation as to what constitutes a rate filing request by a Utility.

In forty-five days our commission will have rules and regulations out in regards what justification will be required and what will constitute a filing by a Utility.

Gordon E. Bollinger, Chairman  
P.J. Gilfeather, Commissioner  
Thomas J. Schneider, Commissioner  
James R. Shea, Commissioner  
George Turman, Commissioner

FREE JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 612  
Report No. 1, March 29, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 612, met March 29, 1977, and considered:

Senate Committee of the Whole Amendments dated March 17, 1977, and recommend as follows:

Having had under consideration Senate Committee of the Whole Amendments dated March 17, 1977,

That the Senate recede from amendment number 3, reading as follows:

3. Amend page 1, section 1, line 20.

Following: "elected"

Strike: "official or board or commission"

Insert: "officials enumerated in 59-904(8) not to exceed 10 in number for each of said officials; said officials may have staff exempted in excess of 10 in number"

And further that the House accede to amendment numbers 1 and 2,

And further that House Bill No. 612, third reading bill, be amended as follows:

1. Amend title, line 7.

Following: "amending"

Strike: "section"

Insert: "sections"

Following: "59-903"

Insert: "and 59-904"

2. Amend page 1, section 1, lines 20-22.

Following: "an"

Strike: "elected official or board or commission that are approved by the department for exemption according to criteria developed by the department"

Insert: "the elected officials enumerated in 59-904(9). The personal staff of each of the elected officials may not exceed 10 unless otherwise approved by the department according to criteria developed by the department"

3. Amend page 2, line 3.

Following: line 3

Insert: "Section 2. Section 59-904, R.C.M. 1947, is amended to read as follows:

'59-904. Officers and employees excepted from provisions of act. This act does not apply to the following positions in state government:

- (1) elected officials and their chief deputy and executive secretary;
- (2) officers and employees of the legislative branch;
- (3) judges and employees of the judicial branch;
- (4) members of boards and commissions appointed by the governor, appointed by the legislature or appointed by other elected state officials;
- (5) officers or members of the militia;
- (6) agency heads appointed by the governor;
- (7) academic and professional administrative personnel with individual contracts under the authority of the board of regents of higher education;
- (8) academic and professional administrative personnel who have entered into individual contracts with the state school for the deaf and blind under the authority of the state board of public education;
- (9) personal staff of the elected officials enumerated in article VI, section 1, of the constitution of Montana are exempt from sections 59-909, 59-910, and 59-911 of this act, and section 82A-1014(.);
- (10) legal services staff and the special assistant attorneys general under the direct control of the attorney general."

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 612 be adopted.

FOR THE SENATE:

ROBERTS  
TURNAGE  
McCALLUM

FOR THE HOUSE:

BRAND  
COONEY  
KEYSER

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON SENATE BILL NO. 286  
Report No. 1, March 31, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 286, met March 31, 1977, and considered:

House Committee on State Administration Amendments dated March 21, 1977, and recommend as follows:

That the Senate accede to amendment numbers 1, 2 and 3,

And that the Conference Committee report on Senate Bill 286 be adopted.

FOR THE SENATE:

THIESSEN  
E. SMITH  
JERGESON

FOR THE HOUSE:

BRAND  
KANDUCH  
FEDA

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolution concurred in by the Senate  
and returned to the House:

3/31/77

House Bill No. 321, introduced by O'Keefe (by request)

House Bill No. 351, introduced by Mular, Teague

House Bill No. 370, introduced by Moore (by request)

House Bill No. 558, introduced by Fabrega, Conroy, Moore, et al

House Joint Resolution No. 74, introduced by Cox, Gould, et al

Bill and Resolution concurred in as amended  
by the Senate, and returned to the House  
for concurrence in Senate Amendments:

3/31/77

House Bill No. 484, introduced by Nathe, Sivertsen, Aageson, et al

House Joint Resolution No. 25, introduced by Fabrega, Conroy, Moore,  
et al

Bills on Committee Report not concurred in  
by the Senate, reports adopted, and  
returned to the House:

3/31/77

House Bill No. 456, introduced by Meloy (by request)

House Bill No. 489, introduced by Eudaily, Waldron, Meyer

House Bill No. 566, introduced by Vincent, Meloy, Huennekens, et al

House Bill No. 782, introduced by Ramirez, Keyser, Scully, Porter

3/31/77

Senate, on motion duly carried, requests the return of House Bill No. 320  
for further consideration.

3/31/77

Governor's Amendments to Senate Bill No. 199 were concurred in by the  
Senate on roll call vote.

3/31/77

The following House Amendments to Senate Bills were concurred in by  
the Senate on roll call vote:

House Amendments to Senate Bill No. 182, introduced by Roberts,  
Regan, Goodover

House Amendments to Senate Bill No. 202, introduced by Kolstad, et  
al

3/31/77

Conference Committee Report on Senate Amendments to House Joint  
Resolution No. 68 was adopted by the Senate on roll call vote.

Meloy moved that the House adjourn until 12:00 noon, April 1, 1977.

Motion carried.



House adjourned at 5:50 p.m.

JOHN B. DRISCOLL, Speaker

EDWIN A. SMITH, Assistant Chief Clerk



## SEVENTY-FIFTH LEGISLATIVE DAY

Helena, Montana  
April 1, 1977

House Chambers  
Capitol Building

House convened at 12:00 noon, Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Kvaalen, Seifert, Tower, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/1/77

Correctly printed - HB 296.

Considered correctly engrossed - HJR 92.

Correctly engrossed - HB 141, HB 365.

Correctly enrolled - HB 46, HB 100, HB 157, HB 309, HB 804, HJR 10, HJR 81.

On motion by Meloy, and in accordance with the 24-hour rule, the adverse committee report on SB 433 was adopted by the following vote:

Ayes: Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 80

Noes: R. Baeth, W. Baeth, Uhde.  
Total 3

Excused: Kvaalen, Seifert, Tower.  
Total 3

Absent or not voting: Aageson, Brand, Burnett, Conroy, Eudaily, Gerke, Lien, Lund, Marks, Mular, O'Connell, Palmer, South, Waldron.  
Total 14

### MESSAGES FROM THE OTHER HOUSE

Bill on Committee of the Whole in the Senate,  
recommended that further action be  
indefinitely postponed, report adopted,  
and returned to the House:

3/31/77

House Bill No. 694, introduced by Fagg, Keyser, Waldron

### MOTIONS

Meloy moved that the House accede to the request of the Senate and return HB 320 to them for further consideration. Motion carried.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 9 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Curtiss, Ellerd, Feda, Frates, Halvorson, Lynch, Nathe, Teague, Vinger.

Total 9

Excused: Kvaalen, Seifert, Tower.

Total 3

Absent or not voting: Bardanouve, Davis, Gerke, Holmes, Mular, Palmer, Waldron.

Total 7

Senate Bill No. 37 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Kvaalen, Seifert, Tower.

Total 3

Absent or not voting: Gerke, Mular, Palmer.

Total 3

Senate Bill No. 209 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, Halvorson, Hand, Harper, Harrington, Hirsch,



Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.

Total 76

Noes: Bengtson, Dassinger, Day, Estenson, Frates, E. Gunderson, J. Gunderson, Hansen, Kanduch, Kennerly, Kenny, Menahan, Smith, Stobie, Teague, Williams.

Total 16

Excused: Kvaalen, Seifert, Tower.

Total 3

Absent or not voting: Brand, Gerke, Mular, O'Connell, Palmer.

Total 5

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 145 be amended as follows:

1. Amend page 23, section 15, line 14.

Strike: "7,602" "7,767"

Insert: "9,122" "9,545" (80-6)

And be further amended:

2. Amend page 27, line 6.

Following: "revert"

Insert: ", unless a nonsupplanting clause prevents acceptance of such funds under these conditions, in which case the budget amendment process in section 13 of this act applies to all funds" (79-0)

And be further amended:

3. Amend page 20, line 15.

Strike: "1,091,995"

Insert: "1,111,995"

Strike: "1,099,682"

Insert: "1,119,682" (47-38)

And be further amended:

4. Amend page 31.

Following: line 19

Insert: "Subject to the approval of the budget director, moneys designated for reversion under the provisions of this section may be reallocated to the extent necessary to other state institutions or to the department of social and rehabilitation services for the care and treatment of residents and patients of institutions who are

transferred from one institution to another or from state institutions to community programs." (62-17)

That the committee rise and report and beg leave to sit again. (Moore, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

#### BILLS (Quilici, Chairman):

4/1/77

Examined by Sponsors and found to be correct - HB 100, HB 157, HB 186, HB 309, HB 584, HB 804, HJR 81.

Correctly enrolled - HB 186, HB 584.

Will be signed by the Speaker on adjournment, 4/1/77 - HB 100, HB 157, HB 186, HB 309, HB 584, HB 804, HJR 81, SB 47, SB 131, SB 231, SB 254, SB 270, SB 277, SB 290, SB 301, SB 327, SB 358, SB 366, SJR 20, SJR 41.

Were signed by the Speaker on adjournment, 3/31/77 - HB 28, HB 80, HB 175, HB 196, HB 300, HB 305, HB 371, HB 404, HB 468, HB 523, HB 533, HB 553, HB 742, SB 4, SB 17, SB 128, SB 138, SB 178, SB 181, SB 207, SB 219, SB 241, SB 258, SB 261, SB 287, SB 300, SB 316, SB 326, SB 393, SB 420, SJR 14, SJR 16, SJR 17, SJR 23, SJR 24.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:45 a.m., 4/1/77 - HB 43, HB 71, HB 73, HB 77, HB 96, HB 113, HB 178, HB 226, HB 236, HB 260, HB 301, HB 414, HB 516, HB 526, HB 551, HB 583, HB 607, HB 669, HB 677, HB 685, HB 757, HB 763, HB 815.

#### APPROPRIATIONS (Bardanoue, Chairman):

3/29/77

HB 6, do not pass.

HB 65, do not pass.

HB 85, do pass. Report adopted.

HB 142, do not pass.

HB 168, do pass. Report adopted.

HB 207, do pass. Report adopted.

HB 208, do pass. Report adopted.

HB 232, do not pass.

HB 250, do pass. Report adopted.

HB 261, do not pass.

HB 267, do not pass.

HB 272, introduced bill, be amended as follows:

1. Amend section 5, page 2, lines 24 and 25.

Following: "act" on line 24

Strike: "\$2 million"

Insert: "\$500,000"

Following: "and" on line 25

Strike: "\$2 million"

Insert: "\$500,000"

And as amended, do not pass.

HB 278, do not pass.

HB 292, do pass. Report adopted.

HB 295, do pass. Report adopted.

HB 311, do not pass.

HB 312, do not pass.

HB 342, do not pass.

HB 345, do not pass.

HB 350, do not pass.

HB 357, third reading bill, be amended as follows:

1. Amend page 18, line 9.

Following: line 8

Insert: "Section 25. Crime victims compensation account established.

There is created a crime victims compensation account in the earmarked revenue fund. There shall be paid into this account 6% of the fines assessed and bails forfeited on all offenses involving a violation of a state statute or a city ordinance relating to the operation or use of motor vehicles, except offenses relating to parking of vehicles."

Renumber: subsequent sections

2. Amend page 18, section 25, line 11.

Following: "from the"

Strike: "general fund"

Insert: "crime victims compensation earmarked revenue account"

3. Amend page 18, line 22.

Following: "Section"

Strike: "25"

Insert: "26"

And as amended, do pass. Report adopted.

HB 366, do not pass.

HB 378, second reading bill, be amended as follows:

1. Amend page 2, section 1, subsection (1)(a), line 6.

Following: "((\$.35))"

Strike: "\$.52"

Insert: "\$.40 in fiscal 1978 and \$.45 in fiscal 1979 and each year thereafter"

2. Amend page 2, section 1, subsection (1)(b), line 13.

Following: "((\$.35))"

Strike: "\$.52"

Insert: "\$.40 in fiscal 1978 and \$.45 in fiscal 1979 and each year thereafter"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 388, do not pass.

HB 426, do not pass.

HB 427, do not pass.

HB 450, do not pass.

HB 460, do not pass.

HB 461, do not pass.

HB 502, do not pass.

HB 503, do not pass.

HB 504, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (2), lines 17 and 18.

Following: line 16

Strike: lines 17 and 18 in their entirety

Renumber: subsequent subsection

And as amended, do pass. Report adopted.

HB 505, do not pass.

HB 517, do not pass.

HB 539, do not pass.

HB 554, introduced bill, be amended as follows:

1. Amend page 1, section 1, subsection (2), lines 19 through 22.

Following: line 18

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

And as amended, do pass. Report adopted.

HB 564, do not pass.

HB 569, second reading bill, be amended as follows:

1. Amend title, line 12.

Following: "of"

Strike: "\$375,000"

Insert: "\$30,000"

2. Amend page 6, section 11, line 24.

Following: "of"

Strike: "\$375,000"

Insert: "\$30,000"

And as amended, do pass. Report adopted.

HB 572, do not pass.

HB 592, do pass. Report adopted.

HB 611, do not pass.

HB 615, do not pass.

HB 622, do pass. Report adopted.

HB 628, do not pass.

HB 649, do pass. Report adopted.

HB 651, do not pass.

HB 671, do not pass.

HB 678, do not pass.

HB 684, do not pass.

HB 689, do pass. Report adopted.

HB 693, do pass. Report adopted.

HB 707, do not pass.

HB 714, do not pass.

HB 715, do not pass.

HB 723, do not pass.

HB 725, do not pass.

HB 728, do not pass.

HB 766, do not pass.

HB 768, do not pass.

HB 779, introduced bill, be amended as follows:

1. Amend title, lines 8 and 9.

Following: "program;"

Strike: "increasing the bonding limit for the sale of bonds under the program;"

2. Amend title, line 10.

Following: "amending"

Strike: "sections"

Insert: "section"

Following: "89-3608"

Strike: "and 89-3609"



3. Amend page 4, section 1, line 9.

Following: "\$2,000,000")

Strike: "\$3"

Insert: "\$2"

4. Amend page 4, section 2, lines 15 through 25.

Following: line 14

Strike: section 2 in its entirety

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 780, do not pass.

HB 781, do pass. Report adopted.

HB 797, third reading bill, be amended as follows:

1. Amend page 6, section 6, subsection (1), line 13.

Following: "(1)"

Strike: "\$40,000"

Insert: "\$80,000"

2. Amend page 6, section 6, subsection (2), line 16.

Following: "89-3608"

Strike: ":",

Insert: ":",

3. Amend page 6, section 6, subsection (3), line 17.

Following: line 16

Strike: "(3) \$40,000 from the general fund."

And as amended, do pass. Report adopted.

HB 807, do not pass.

HB 808, do pass. Report adopted.

HB 818, do pass. Report adopted.

HB 820, do not pass.

HB 822, do not pass.

HB 827, do not pass.

HB 831, do not pass.

HB 832, do pass. Report adopted.

HB 833, do not pass.

HB 835, introduced bill, be amended as follows:

1. Amend section 1, page 1, line 10.

Following: "fund"

Strike: "\$1 million"

Insert: "\$200,000"

And as amended, do pass. Report adopted.

HB 836, do pass. Report adopted.

HJR 69, do not pass.

HJR 86, do not pass.

Objection raised by Ramirez on 3/31/77 on adverse committee report on HB 261. Referred to Second Reading.

Objection raised by Moore on 4/1/77 on adverse committee report on HB 267. Referred to Second Reading.

Objection raised by Brand on 4/1/77 on adverse committee report on HB 502. Referred to Second Reading.

Objection raised by Barrett on 3/29/77 on adverse committee report on HB 564. Referred to Second Reading.

Objection raised by Brand on 4/1/77 on adverse committee report on HB 725. Referred to Second Reading.

Objection raised by Waldron on 3/31/77 on adverse committee report on HB 780. Referred to Second Reading.

Objection raised by Holmes on 3/31/77 on adverse committee report on HB 833. Referred to Second Reading.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 145 be amended as follows:

1. Amend page 27, line 15.

Following: line 14

Strike: line 15 in its entirety

Insert:

"5,472,238" "2,591,571" "6,549,909" "2,480,767"

2. Amend page 27, line 19.

Following: line 18

Strike: line 19 in its entirety

Insert:

"5,493,938" "2,591,571" "6,571,609" "2,480,767"

(84-0)

That the committee rise and report and beg leave to sit again. (Moore, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Objection raised by Bengtson on 3/31/77 on adverse committee report on HB 517. Referred to Second Reading.

Objection raised by Waldron on 4/1/77 on adverse committee report on HB 714. Referred to Second Reading.

BUSINESS AND INDUSTRY (Vincent, Chairman):

4/1/77

SB 170, third reading bill, be amended as follows:

1. Amend page 5, section 3, subsection (3), line 14.

Following: "customer's"

Insert: "deposit or share"

2. Amend page 5, section 3, subsection (3), line 20.

Following: "device."

Insert: "A merchant has the option, provided that the necessary computer capability exists at a reasonable cost, of selling goods or services by point-of-sale terminals with the electronic fund transfer taking effect at the time of the transaction or at a stated time after the transaction."

3. Amend page 5, section 3, subsection (3), line 25.

Following: "institution;"

Strike: "or"

4. Amend page 6, section 3, subsection (3), line 3.

Following: "institutions"

Insert: "; or

(iii) a point-of-sale terminal which is utilized by a merchant in the merchant's business only and does not provide access to a financial institution"

5. Amend page 7, section 4, subsection (2), line 16.

Following: "customer's"

Insert: "deposit or share"

6. Amend page 8, section 5, subsection (2), line 16.

Following: "terminal."

Insert: "A merchant may utilize a machine as a point-of-sale terminal, which machine performs functions in addition to electronic funds transfer if such other functions do not violate the provisions of this act."

7. Amend page 8, section 6, line 21.

Following: "customer"

Strike: "a"

Insert: "an itemized"

Following: "statement"

Insert: "clearly"

8. Amend page 9, section 6, subsection (4), line 3.

Following: "transfer"

Insert: ", with special emphasis upon the liability when the customer makes his personal identification number readily available for discovery in connection with theft or loss of the unique identification device and upon the importance of immediate notification to the institution of such theft or loss"

9. Amend page 9, section 6, subsection (7), line 11.

Following: "transfer;"

Strike: "and"

10. Amend page 9, section 6, line 14.

Following: "transfers"

Strike: "."

Insert: "; and"

11. Amend page 9, section 6.

Following: line 14

Insert: "(9) the economic significance of having no 'float' time and no stop-payment authority.

(a) The customer shall then sign a statement acknowledging his acceptance of these terms and conditions and give the statement to the financial institution. A copy of the statement, countersigned by an officer of the financial institution, shall be provided the customer. In addition, the information set forth in subsection (4) of this section shall be specifically acknowledged by the customer. The customer shall verify his acknowledgement by signing his initials immediately adjacent to the information provided."

12. Amend page 10, section 7, subsection (1), lines 5 through 13.

Following: "equity."

Strike: lines 5 through 13 in their entirety

Insert: "The costs for the use of an automated teller machine chargeable to a financial institution for a financial transaction may not exceed 125% of the average transaction cost for the use of automated teller machines in Montana. A financial institution may contract with a merchant for the operation of point-of-sale terminals. The contract shall specify the conditions upon which the merchant will make the point-of-sale terminal(s) available to customers of the financial institution and shall include terms covering connection charge, fees, format code and security provisions. A point-of-sale terminal shall be available for use by all financial institutions upon such contractual terms as may be commercially reasonable."

13. Amend page 11, section 8, subsection (2), lines 12 through 14.

Following: "which a"

Strike: "federal savings and loan association or state building and loan association or credit union"

Insert: "financial institution"

14. Amend page 11, section 8, subsection (2), line 14.

Following: "such"

Strike: "association agrees to comply"

Insert: "institution complies"

15. Amend page 12, section 9, subsection (1), line 10.

Following: "or"

Insert: ", if the customer refuses to so consent,"

16. Amend page 15, section 13, subsection (1), line 13.

Following: "section"

Strike: "13"

Insert: "12"

17. Amend page 17, section 13, subsection (5), line 4.

Following: "unauthorized"

Insert: "or erroneous"

18. Amend page 19, section 18, lines 8 through 10.

Following: "states."

Strike: section 18 in its entirety

Insert: "If cards are used as unique identification devices, the department may, by rule, prescribe a standard size."

19. Amend page 19.

Following: line 10

Insert: "Section 19. Conventional checking option preserved. A financial institution may not require any customer to deal with or through it by means of electronic funds transfer in lieu of writing checks in the usual manner upon a conventional checking account and may not impose any extraordinary charge upon customers who choose to write checks in the usual manner upon a conventional checking account maintained at that financial institution. Nothing in this section prohibits a financial institution from charging a reasonable fee to cover the expenses of providing a checking account to a customer or from realizing a reasonable profit for providing that service."

Renumber: all subsequent sections

And as amended, be concurred in. Report adopted.



HB 837, do pass. Report adopted.

APPROPRIATIONS (Bardanouve, Chairman):

3/31/77

HB 143, introduced bill, be amended as follows:

1. Amend page 2, section 6, line 24.

Strike: remainder of bill

Insert:

	"Fiscal 1977	
	General	Other
	<u>Fund</u>	<u>Appropriated</u>
		<u>Funds</u>
ENVIRONMENTAL QUALITY COUNCIL	10,507	
JUDICIAL BRANCH		
Supreme Court Operations	44,401	
Law Library	<u>25,916</u>	
Total Judicial Branch	70,317	
GOVERNOR'S OFFICE		
Office of Budget and		
Program Planning	7,734	
SECRETARY OF STATE	40,809	
DEPARTMENT OF JUSTICE		
Workers' Compensation Prosecution	346,942	
Workers' Compensation Defense		
Costs	<u>116,700</u>	
Total Department of Justice	463,642	
All unexpended funds as of June 30, 1977, are hereby reappropriated for the 1979 biennium.		
COUNTY ATTORNEYS	130,680	
DEPARTMENT OF REVENUE	800,000	
DEPARTMENT OF ADMINISTRATION		
Transportation of Prisoners	30,000	
State Treasurer	6,000	
Merit System Bureau		9,000
Workers' Compensation Judge	<u>          </u>	<u>57,828</u>
Total Department of		
Administration	36,000	66,828
The appropriation made for the workers' compensation judge from other appropriated funds is from funds generated under provisions of 92-116.1, Workers' Compensation Act.		
DEPARTMENT OF COMMUNITY AFFAIRS		
Old West Regional Commission		
Program		40,188
Indian Affairs Coordination		
Program		3,000
Special Project Program	46,017	
Research and Information		
Program	17,500	
Aeronautics Program	<u>103,650</u>	<u>11,250</u>
Total Department of		
Community Affairs	167,167	54,438

## DEPARTMENT OF LABOR AND INDUSTRY

Workers' Compensation Division	7,030	
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## DEPARTMENT OF FISH AND GAME

Grizzly Bear Study		49,022
Predator Control		40,000
Poplar River Project		11,700
Building Landscaping		<u>35,000</u>

Total Department of Fish and Game		135,722
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## DEPARTMENT OF LIVESTOCK

Veterinarian Upgrades		45,182
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DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION

Liability Insurance	55,600	
Oil and Gas Commission		29,550

DEPARTMENT OF PROFESSIONAL AND  
OCCUPATIONAL LICENSING

Board of Chiropractors		860
Board of Dentists		6,960
Board of Nursing		23,164
Board of Pharmacists		8,132
Board of Professional Engineers and Surveyors		1,826
Board of Psychologists		312
Board of Warm Air Heating, Ventilating and Air Conditioning		4,983
Board of Nursing Home Administrators		4,000
Board of Sanitarians		<u>1,000</u>

Total Department of Professional and Occupational Licensing		51,237
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DEPARTMENT OF SOCIAL AND  
REHABILITATION SERVICES

Economic Assistance Program	300,000	
Social Services Program		19,756
Eligibility Determination Program		2,330
Developmental Disabilities Program		<u>65,067</u>

Total Department of SRS	300,000	87,153
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## DEPARTMENT OF INSTITUTIONS

## CENTRAL OFFICE

Drug Services		38,365
Lighthouse Drug Program	20,000	
Alcohol Services Program	<u>67,543</u>	

Total Central Office	87,543	38,365
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## BOULDER RIVER SCHOOL AND HOSPITAL

360,742

## CHILDREN'S CENTER

13,729

## MONTANA STATE PRISON

541,000

850,000

WARM SPRINGS STATE HOSPITAL	
Adolescent Care Center	100,000
HISTORICAL SOCIETY	14,144
STATE LIBRARY COMMISSION	187,200

The funds appropriated above constitute the entire amount to be passed through as grants to local libraries in fiscal 1977. Notwithstanding any other provision of law, operational expenditures of the state library exclusive of grants to local libraries shall not exceed \$525,756 in fiscal 1977 of which the general fund expenditure shall not exceed \$317,000.

MONTANA STATE UNIVERSITY	446,000
UNIVERSITY OF MONTANA	444,500
EASTERN MONTANA COLLEGE	135,500
NORTHERN MONTANA COLLEGE	60,800
WESTERN MONTANA COLLEGE	37,000
MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY	53,000
COMMISSIONER OF HIGHER EDUCATION	32,500
AGRICULTURAL EXPERIMENT STATION	122,500
COOPERATIVE EXTENSION SERVICE	51,000
BUREAU OF MINES	17,200
REGENTS' DISCRETIONARY	49,051
AUDIT REVOLVING ACCOUNT	8,412
STUDENT ASSISTANCE	2,008

The funds appropriated above to units of the university system are from the current fund unrestricted operating account to authorize expenditures of funds carried over from the biennium ending June 30, 1975, into the biennium ending June 30, 1977. These appropriations do not include revenues generated under provisions of 84-3804.

MONTANA STATE UNIVERSITY	1,655,438
UNIVERSITY OF MONTANA	422,200
EASTERN MONTANA COLLEGE	73,468
NORTHERN MONTANA COLLEGE	65,475
MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY	<u>223,230</u>
Total Indirect Costs	2,439,811

The funds appropriated above of \$2,439,811 are federal funds received as a reimbursement for the cost of administering federal funds in the biennium ending June 30, 1977, and may be expended during the biennium ending June 30, 1977.

MONTANA STATE UNIVERSITY	231,222	219,397
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The above appropriation to Montana state university is to satisfy the court judgment concerning employee pay compensation.

GRAND TOTAL

3,337,866

5,764,354"

And as amended, do pass. Report adopted.

HB 282, do pass. Report adopted.

HB 355, do not pass.

HB 525, third reading bill, be amended as follows:

1. Amend page 16, section 27, line 4.

Following: "fund"

Strike: "\$600,000"

Insert: "\$300,000"

And as amended, do pass. Report adopted.

HB 756, second reading bill, be amended as follows:

1. Amend title, lines 6 and 7.

Following: "(and)"

Strike: "medical"

Insert: "supplementary and"

Following: "assistance"

Insert: "payments"

2. Amend pages 1 through 3.

Strike: all of the bill following the enacting clause

Insert: "Section 1. There is a new R.C.M. section that reads as follows:

Rules required — timely payment to recipient. The department shall adopt rules assuring that recipients of supplementary and assistance payments receive the payments no later than the 10th day of the month in which they are entitled to the payments.

Section 2. There is a new R.C.M. section that reads as follows:

Revolving contingency fund. (1) There is a revolving contingency fund for the use of the department of social and rehabilitation services.

(2) The fund may be used to make substitute payments to recipients of supplementary and assistance payments upon notification to the department that the payment is delinquent.

(3) No recipient may receive a substitute payment as prescribed in subsection (2) until he enters into an agreement with the department that he will reimburse that department upon receipt of his regular payment.

(4) Upon receipt of such regular payments, the department shall deposit the payments into the revolving contingency fund."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 811, do not pass.

HB 828, reported without recommendation. Report adopted.

HB 830, do not pass.

HJR 4, do not pass.

HJR 46, do pass. Report adopted.

HB 233, introduced bill, be amended as follows:

1. Amend section 1, page 1, line 17.



Following: "fund"

Strike: "\$228,330" "\$251,369"

Insert: "\$120,000" "\$120,000"

And as amended, do pass. Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 145 be amended as follows:

1. Amend page 39, section F, line 17.

Following: line 16

Strike: "200,000"

Insert: "500,000"

2. Amend page 40, section F, line 3.

Following: line 2

Strike: "\$11,364,099"

Insert: "\$11,664,099" (67-22)

And be further amended:

3. Amend page 40, section 15, line 25.

Following: line 24

Strike: line 25 in its entirety

Insert:

"3,430,026" "2,083,406" "3,663,308" "2,234,121"

(78-11)

And be further amended:

4. Amend page 44, line 24.

Following: "fund"

Insert: "Any monies not expended from the General Fund for such ground water study by June 30, 1977, are hereby reappropriated to the Bureau of Mines for a study of the water table and artesian portions of an underground aquifer underlying the Burton Bench north of Choteau." (81-2)

And be further amended:

5. Amend page 9, section 15, line 15.

Following: "928,414"

Insert: "7,500"

Following: "886,720"

Insert: "7,500"

6. Amend page 9, section 15, line 20.

Following: line 19

Insert: "The appropriation from other funds is to fund the coal tax oversight committee." (84-3)

Kvaalen, Seifert and Tower present at this time.

And be further amended:

7. Amend page 7.

Following: line 19

Insert: "Section 15. Travel Restriction. The budget director shall develop a state travel policy to restrict expenses for unnecessary travel."

Renumber: subsequent section (87-0)

And as amended, be passed for the day. (49-45)

That the committee rise and report. (Moore, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

BILLS (E. Gunderson, Vice-chairman):

4/1/77

Correctly printed - HB 85, HB 168, HB 207, HB 208, HB 250, HB 261, HB 267, HB 292, HB 295, HB 502, HB 564, HB 592, HB 622, HB 649, HB 689, HB 693, HB 725, HB 780, HB 781, HB 808, HB 818, HB 832, HB 833, HB 836.

RULES (Meloy, Chairman):

4/1/77

HB 796, reported without recommendation. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman):

3/31/77

HB 242, introduced copy, be amended as follows:

1. Amend page 2, section 2, line 12.

Following: "sum of"

Strike: "\$1,600,000"

Insert: "\$300,000"

2. Amend page 2, section 2, line 13.

Strike: "\$800,000 each year thereof,"

And as amended, do pass. Report adopted.

HB 428, do pass. Report adopted.

HB 531, third reading bill, be amended as follows:

1. Amend title, line 8.

Following: "appropriating"

Strike: "\$200,000"

Insert: "\$80,000"

Following: "for"

Strike: "the biennium"

Insert: "fiscal year ending June 30, 1978,"

2. Amend page 5, section 2, line 6.

Following: "lands"

Strike: "\$100,000 \$100,000"

Insert: "\$80,000 -0- "

And as amended, do pass. Report adopted.

HB 532, third reading bill, be amended as follows:

1. Amend title, line 5.

Following: "to"

Strike: "provide for"

Insert: "study"

2. Amend title, line 7.

Following: "to"

Strike: "provide"

Insert: "study"

3. Amend title, line 11.

Following: "to"

Strike: "provide"

Insert: "study"

4. Amend title, line 19.

Following: "for"

Strike: "implementing"

5. Amend title, line 20.

Following: "funding"

Strike: "July 1, 1979"

6. Amend title, line 21.

Following: "to"

Strike: "establish a temporary,"

Insert: "study the need for an"

7. Amend title, line 22.

Following: "appropriate"

Insert: "federal"

Following: "council"

Strike: "and"

8. Amend title, line 23.

Strike: "the emergency district court fund"

9. Amend page 2, section 1, line 3.

Following: "Public"

Strike: line 3 through line 12

Insert: "study of a fund for modern courts."

10. Amend page 2, section 1, line 13.

Strike: "(3)"

11. Amend page 2, section 1, line 16.

Following: "court costs"

Insert: "including clerks and their employees, court reporters, youth probation officers and staffs, and other personnel of district courts"

12. Amend page 3, section 2, line 1.

Strike: "(3)"

Insert: "Section 3. Appropriation, staffing and facilities. (1)"

13. Amend page 3, section 2, line 3.

Following: "any"

Insert: "additional"

14. Amend page 3, section 2, line 6.

Following: line 6

Insert: "(2) Federal appropriation authority for courts planning beyond June 30, 1979, shall require specific legislative approval."

Renumber: subsequent sections

15. Amend page 4, section 3, line 3.

Following: "legislative"

Strike: "fiscal analyst"

Insert: "staff"

16. Amend page 4, line 19.

Strike: sections 6 through 11 in their entirety

Renumber: subsequent section

And as amended, do pass. Report adopted.

HB 661, second reading bill, be amended as follows:

1. Amend page 3, section 2, line 2.

Following: "(refineries),"

Insert: "except for oil and gas refineries,"

2. Amend page 4, section 2, lines 18 through 20.

Following: "which"

Strike: "processes, smelts, reduces, refines, or manufactures any natural resource for sale or commercial use"

Insert: "handles or processes phosphate or potash, or metalliferous ores after the ores are mined until such time as the metal is in elemental form, except that truck or rail transportation of metalliferous ores, potash or phosphate is not included. Metalliferous ore means a mineral deposit from which metal or metals are extracted by metallurgical processes"

3. Amend page 6, section 2, line 13.

Following: "electricity,"

Insert: "or"

Following: "gas"

Strike: ", hydrocarbon products"

4. Amend page 6, section 2, line 14.

Strike: "or energy"

5. Amend page 7, section 2, lines 1 through 24.

Strike: subsections (13) and (14) in their entirety

6. Amend page 26, section 9, line 5.

Following: "facility;"

Insert: "in finding and determining whether there is a need for a proposed utility facility as defined in 70-803(3)(a), the board must find and determine that not more than 20% of the net energy form produced by the proposed utility facility over a period extending through the 20th year from the date of application will be sold to customers outside Montana; provided, however, that if 20% or more of the applicant's average annual sales of either electricity or pipeline gas for its entire service area at the time of the filing of the application is for customers within Montana, then the board may consider the applicant's entire service area in finding and determining whether there is a need for the proposed utility facility;"

7. Amend page 41, section 16, line 17.

Following: "the"

Strike: "general fund"

Insert: "resource indemnity trust interest account"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 663, do pass. Report adopted.

HB 701, do pass. Report adopted.

HB 821, introduced bill, be amended as follows:

1. Amend page 1, section 2, line 17.

Following: "(a)"

Strike: "six"



Insert: "four"  
Following: "industry,"  
Strike: "three"  
Insert: "two"

2. Amend page 1, section 2, line 18.  
Following: "and"  
Strike: "three"  
Insert: "two"

3. Amend page 2, section 2, line 1.  
Following: "(c)"  
Strike: "eight"  
Insert: "six"  
Following: "legislature,"  
Strike: "four"  
Insert: "two"

4. Amend page 2, section 2, line 2.  
Following: "senate"  
Strike: "and four"  
Insert: ", two"

5. Amend page 2, section 2, line 3.  
Following: "house"  
Insert: ", and two by the minority leader"  
Following: "than"  
Strike: "four"  
Insert: "three"

And as amended, do pass. Report adopted.

HB 826, introduced bill, be amended as follows:

1. Amend page 1, section 1, line 11.  
Following: "sum of"  
Strike: "\$320,000"  
Insert: "\$295,000"

And as amended, do pass. Report adopted.

HB 829, introduced bill, be amended as follows:

1. Amend title, line 4.  
Following: "appropriate"  
Strike: "\$65,000"  
Insert: "\$71,000"

2. Amend page 1, section 1, line 14.  
Following: "sum of"  
Strike: "\$65,000"  
Insert: "\$71,000"

3. Amend page 2, section 3, line 4.  
Following: "appoint"  
Strike: "five"  
Insert: "four"

4. Amend page 2, section 3, line 7.  
Following: "or"  
Strike: "three"  
Insert: "two"

And as amended, do pass. Report adopted.

HJR 88, do pass. Report adopted.

Objection raised by Huennekens on 4/1/77 on adverse committee report on HB 142. Referred to Second Reading.

Objection raised by Dassinger on 4/1/77 on adverse committee report on HB 366. Referred to Second Reading.

### REPORTS OF SELECT COMMITTEES

#### FREE JOINT CONFERENCE COMMITTEE ON SENATE BILL NO. 331 Report No. 1, March 30, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 331, met on March 30, 1977, and considered:

House Committee on Public Health, Welfare and Safety Amendment numbers 1 and 2, dated March 17, 1977, and recommend as follows:

That the House recede from the amendment numbers 1 and 2, reading as follows:

1. Amend title, line 7.  
Following: "amending"  
Strike: "section"  
Insert: "sections"  
Following: "(66-1302)"  
Insert: "66-1302 and"

2. Amendment No. 2 added Section 66-1302 to the bill and the only change was to subsection (i) which reads as follows:

(i) To replace or duplicate ophthalmic lenses with or without a prescription or to dispense ophthalmic lenses from prescriptions, without having at the time a valid certificate of registration as an optometrist; however, this subsection does not prevent an optical mechanic from doing the merely mechanical work on an ophthalmic lens which is ordered on a prescription signed by a registered optometrist (and is dispensed only by the optometrist or a person employed by the optometrist and who does so in the office of and under the direct personal supervision of an optometrist;).

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on Senate Bill 331 be adopted.

FOR THE SENATE:

LENSINK  
RASMUSSEN  
PETERSON

FOR THE HOUSE:

COONEY  
GILLIGAN  
McLANE

Report adopted.

### MESSAGES FROM THE GOVERNOR

April 1, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill Nos. 95, 373, 379, 476, 490, 514, 709, and 736.

Sincerely,

THOMAS L. JUDGE  
Governor

April 1, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 5, 24, 29, 41, 43, 49, 73, 89, 91, 108, 115, 169, 186, 191, 215, 229, 234, 250, 262, 314, 361, 405, 415, and 430.

Sincerely,

THOMAS L. JUDGE  
Governor

#### MESSAGES FROM THE OTHER HOUSE

Bills concurred in by the Senate and returned  
to the House:

4/1/77

House Bill No. 307, introduced by Menahan (by request)

House Bill No. 348, introduced by Estenson (by request)

House Bill No. 537, introduced by South

House Bill No. 596, introduced by Shelden (by request)

House Bill No. 620, introduced by Eudaily, Ellis, et al

House Bill No. 794, introduced by Brand (by request)

Bills concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

4/1/77

House Bill No. 239, introduced by Brand (by request)

House Bill No. 360, introduced by Cooney, Palmer, Uhde, et al

House Bill No. 487, introduced by Eudaily, Dussault, Lory

House Bill No. 585, introduced by Vincent (by request)

House Bill No. 588, introduced by Harper (by request)

House Bill No. 650, introduced by Scully, Tropila

House Bill No. 659, introduced by Lynch, Harrington

House Bill No. 721, introduced by Scully, (Chairman, Judiciary  
Committee)

House Bill No. 810, introduced by Day (Judiciary Committee)

Bill and Resolution on Committee Report not  
concurring in by the Senate, reports  
adopted, and returned to the House:

4/1/77

House Bill No. 374, introduced by Ramirez, Porter, Fagg, et al

House Joint Resolution No. 35, introduced by Kimble, W. Baeth, et al

Bill on Committee of the Whole in the Senate  
recommended that further action be  
indefinitely postponed, report adopted,  
and returned to the House:

4/1/77

House Bill No. 506, introduced by Harrington, Cooney, et al

4/1/77

Conference Committee Report on Senate Amendments to House Bill No.  
126, Report No. 2, was adopted by the Senate on roll call vote.

House Amendments to the following Senate Bills  
were concurred in by the Senate:

4/1/77

House Amendments to Senate Bill No. 165, introduced by Galt, Dover  
(by request)

House Amendments to Senate Bill No. 179, introduced by McCallum,  
Etchart, et al

Resolution passed by the Senate and transmitted  
to the House for concurrence:

4/1/77

Senate Joint Resolution No. 45, introduced by Stephens, Kolstad, et al

### MOTIONS

Feda moved that the House reconsider its action yesterday in adopting  
the adverse committee report on SB 381. Motion carried.

Meloy moved that the House adjourn until 11:00 a.m., April 2, 1977.

Motion carried.

House adjourned at 8:00 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## SEVENTY-SIXTH LEGISLATIVE DAY

Helena, Montana  
April 2, 1977

House Chambers  
Capitol Building

House convened at 11:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Harrington, Jensen, Meyer, excused; Kennerly, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

LOCAL GOVERNMENT (Robbins, Chairman):

4/2/77

SB 198, third reading bill, be amended as follows:

1. Amend title, lines 6 and 7.

Following: "noise"

Strike: "and"

Insert: ", "

Following: "height"

Insert: ", and land use"

2. Amend title, line 10.

Following: "noise"

Strike: "and"

Insert: ", "

Following: "height"

Insert: ", and land use"

3. Amend page 2, section 1, lines 2 and 3.

Following: "noise"

Strike: "and"

Insert: ", "

Following: "height"

Insert: ", and land use"

4. Amend page 3, section 3, lines 6 through 10.

Following: "(point)"

Strike: lines 6 through 10 in their entirety

5. Amend page 3, section 3, line 11.

Following: line 10

Strike: "centerline"

Insert: "3-mile radius from the airport reference point"

6. Amend page 3, section 4, lines 21 and 22.

Following: "(nonresidential)"

Strike: "height and noise"

Insert: "nonresidential"

7. Amend page 4, section 5, line 7.

Following: "guidelines"

Insert: "for noise regulations"

8. Amend page 4, section 5, line 9.

Following: line 8

Insert: "the criteria and guidelines for height and land use regulations shall be designed solely to promote the public safety. The criteria and guidelines"

9. Amend page 4, section 5, lines 19 and 20.

Following: line 18

Strike: lines 19 and 20 in their entirety

Renumber: subsequent subsections

10. Amend page 4, section 5, line 24 through line 1 on page 5.

Following: line 23

Strike: line 24 through line 1 on page 5 in their entirety

11. Amend page 11, section 15, line 23.

Following: "reasonable"

Insert: "- prior nonconforming uses"

12. Amend page 12, section 15, line 2.

Following: "uses,"

Insert: "which may continue,"

13. Amend page 12, section 15, line 7.

Following: "time."

Insert: "Land in existing residential subdivisions or platted for residential subdivision at the time rules are adopted may continue to be used for residential purposes."

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SJR 39, third reading copy, be amended as follows:

1. Amend page 2, lines 1 through 10.

Strike: lines 1 through 10 in their entirety

Insert: "a select committee to study House Bill 122 as follows:

(1) The committee shall study the existing local government laws and prepare a comparison of these laws with the proposed code contained in House Bill 122.

(2) The committee shall prepare written explanations of the changes proposed by House Bill 122 and the consequences of accepting or rejecting these changes.

(3) The committee shall recommend, if feasible, the division of House Bill 122 into separate and independent bills by subject area.

(4) The committee shall prepare and deliver to the Legislative Council any recommendations or proposed legislation on or before August 31, 1978.

BE IT FURTHER RESOLVED: That the committee shall consist of six members of the House of Representatives who shall be appointed by the speaker of the House of Representatives with the advice of the majority and minority leaders of the House and no more than three of whom may be of the same political party, and six members of the Senate who shall be appointed by the Committee on Committees of the State Senate and no more than three of whom may be members of the same political party. The committee shall terminate on September 1, 1978. Other than the procedure for the appointment of members of the committee, the committee shall operate under the provisions of Title 43 governing interim subcommittees."

And as amended, be concurred in. Report adopted.

Objection raised by Gould on 4/2/77 on adverse committee report on HB 355. Referred to Second Reading.

BILLS (Quilici, Chairman):

4/1/77  
Correctly printed - HB 142, HB 143, HB 267, HB 282, HB 357,  
HB 378, HB 517, HB 554, HB 504, HB 569, HB 714, HB 779,  
HB 797, HB 828, HB 835, HB 837, HJR 46, HJR 88.  
4/2/77  
Correctly printed - HB 428, HB 663.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:00 a.m., 4/2/77 - HB 80, HB 175, HB 196, HB 300, HB 305, HB 371, HB 404, HB 468, HB 523, HB 533, HB 553, HB 742.

Examined by Sponsors and found to be correct - HB 46, HJR 10.

### REPORTS OF SELECT COMMITTEES

#### FREE JOINT CONFERENCE COMMITTEE ON HOUSE JOINT RESOLUTION NO. 21 Report No. 1, March 31, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Joint Resolution 21, met March 31, 1977, and considered:

Senate Committee of the Whole Amendments dated March 15, 1977, and recommend as follows:

Having had under consideration Senate Committee of the Whole Amendments dated March 15, 1977,

That the Senate recede from amendment numbers 1 and 2, reading as follows:

1. Amend page 1, line 20 through line 1 on page 2.  
Following: "provide"  
Strike: line 20 through line 1 on page 2 in their entirety  
Insert: "protection for existing water rights as well as additional water storage for crop production; and"
2. Amend page 3, lines 7 through 14.  
Following: line 6  
Strike: lines 7 through 14 in their entirety

And further that the House Joint Resolution No. 21, third reading bill, be amended as follows:

1. Amend page 1, line 19.  
Following: "Whereas, the"  
Strike: "current"  
Insert: "previous"
2. Amend page 1, line 20.  
Following: "provide"  
Strike: "sufficient"  
Following: "bring"  
Strike: "approximately 30,000"  
Insert: "several thousand"

3. Amend page 1, line 22.

Following: line 21

Strike: "guaranteed"

Insert: "more dependable"

And that the Conference Committee Report on House Joint Resolution No. 21 be adopted.

FOR THE HOUSE:

RYAN  
O'CONNELL  
FABREGA

FOR THE SENATE:

ROSKIE  
McOMBER  
ETCHART

Report adopted.

### MOTIONS

Gould moved that the House reconsider its action yesterday in not adopting Bradley's amendment to the Human Rights Commission on HB 145. Motion failed.

Meloy moved that SA to HB 664 be rereferred from the Committee on Rules to the Free Conference Committee on HB 664. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Waldron excused at this time.

House Bill No. 141 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Burnett, Turner, Uhde.

Total 3

Excused: Harrington, Jensen, Meyer, Waldron.

Total 4

Absent or not voting: Bardanouve, Bertelsen, Ellison, Fabrega, Fagg, Kennerly, McLane, Marks, Roth, Scully.

Total 10

House Bill No. 365 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Dassinger, Day, Dussault, Ellerd, Estenson, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kenny, Kessler, Kvaalen, Lien, Manuel, Meloy, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Quilici, Robbins, Ryan, Severson, Sheldon, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Williams, Wood, Mr. Speaker.



Total 53

Noes: Aageson, Barrett, Burnett, Courtney, Cox, Curtiss, Davis, Ellis, Ernst, Eudaily, Feda, Kanduch, Keyser, Kropp, Lory, Lund, Lynch, McLane, Menahan, Moore, Nathe, Pistoria, Porter, Ramirez, Seifert, Sivertsen, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wyrick.

Total 33

Excused: Harrington, Jensen, Meyer, Waldron.

Total 4

Absent or not voting: Bardanouve, Bertelsen, Ellison, Fabrega, Fagg, Kennerly, Kimble, Marks, Roth, Scully.

Total 10

House Joint Resolution No. 92 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Harrington, Jensen, Meyer, Waldron.

Total 4

Absent or not voting: Bardanouve, Bradley, Fagg, Halvorson, Kennerly, McLane, Roth.

Total 7

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Moore in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Harrington present at this time.

That HB 145, as amended, do pass. (64-29)

Waldron present at this time.

That HB 398 do not pass. (57-32)

That HB 482 do pass. (61-23)

Kennerly present at this time.

That HB 754 be amended as follows:

1. Amend page 11, section 3, line 18.  
Following: "(conservation)"  
Strike: "generation"  
Insert: "conservation"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (62-30)

That HB 143 be placed at the top of the Second Reading board.

That HB 143 be amended as follows:

1. Amend section 6, page 5, line 12.  
Strike: "6,960"  
Insert: "7,060"
2. Amend section 6, page 5.  
Following: line 22  
Insert: "Board of Plumbers 31,847" (83-0)

And be further amended:

3. Amend page 2.  
Following: line 21  
Insert: "Section 6. Other appropriated funds. Unless otherwise indicated herein, the appropriations made under the column heading, 'other appropriated funds', are from funds within the earmarked revenue fund, the federal and private revenue fund, and the revolving fund that accrue under provisions of law to the expending agency.

Section 7. Totals not appropriations. The totals shown in this act are for informational purposes only and are not appropriations."

Renumber: subsequent sections (79-1)

And as amended, do pass. (72-17)

That HB 825 be passed for the day.

That HJR 91 do pass. (78-11)

That HJR 94 do pass. (85-3)

That HB 250 be amended as follows:

1. Amend title, line 10.  
Following: "area"  
Insert: "and the East Helena area"
2. Amend page 1, section 1, line 18.  
Following: "area"  
Insert: "and the East Helena area, if funds are available," (74-14)

And be further amended:

3. Amend title, line 10.  
Following: "Billings"  
Insert: ", Hardin, Colstrip"
4. Amend page 1, section 1, line 18.  
Following: "Billings"

Insert: ", Hardin, Colstrip" (81-6)

And as amended, do pass. (82-9)

That HB 282 do pass. (60-29)

That HB 295 do pass. (69-18)

That HB 357 do pass. (69-20)

That the committee rise and report and beg leave to sit again. (Moore, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

### BILLS (Quilici, Chairman):

4/2/77

Correctly printed - HB 233, HB 242, HB 355, HB 366, HB 531, HB 532, HB 661, HB 756, HB 796, HB 821, HB 826, HB 829.

Will be signed by the Speaker on adjournment, 4/2/77 - HB 46, HB 321, HB 351, HJR 10, HJR 74, SB 83, SB 111, SB 119, SB 132, SB 149, SB 223, SB 265, SB 298, SB 357, SB 403, SB 443, SJR 35.

Were signed by the Speaker on adjournment, 4/1/77 - HB 100, HB 157, HB 186, HB 309, HB 584, HB 804, HJR 81, SB 47, SB 131, SB 231, SB 254, SB 270, SB 277, SB 290, SB 301, SB 327, SB 358, SB 366, SJR 20, SJR 41.

Correctly enrolled - HB 321, HB 351, HJR 74.

Examined by Sponsors and found to be correct - HB 321, HB 351, HJR 74.

Objection raised by Meloy on 4/2/77 on adverse committee report on HB 272. Referred to Second Reading.

Objection raised by Driscoll on 4/2/77 on adverse committee report on HB 278. Referred to Second Reading.

Objection raised by Scully on 4/2/77 on adverse committee report on HB 461. Referred to Second Reading.

Objection raised by Feda on 4/2/77 on adverse committee report on SB 381. Referred to Second Reading.

Objection raised by Kanduch on 4/2/77 on adverse committee report on HB 450. Referred to Second Reading.

### JOINT SELECT COMMITTEE ON EMPLOYEE COMPENSATION

(Roberts, Chairman):

4/2/77

SB 80, third reading bill, be amended as follows:

1. Amend page 2, section 2, line 23.

Following: "(and)"

Insert: "reasonable classifications for"

2. Amend page 9, section 5, lines 13 and 14.

Following: "faith."

Strike: "Any negotiated agreement that includes a provision"

Insert: "That part of a negotiated agreement"

3. Amend page 13, section 8, line 12.

Following: "(six)"

Strike: "occupational"

Insert: "appropriate"

4. Amend page 13, section 8, line 19.

Following: "other"

Strike: "occupational"

Insert: "appropriate"

5. Amend page 13, section 8, line 24.

Following: "established"

Strike: "occupational"

Insert: "appropriate"

6. Amend page 14, section 8, lines 1 through 4.

Following: "be"

Strike: "on a percentage basis. Each exclusive representative is entitled to representation in the coalition in proportion to the percentage each is of the total coalition"

Insert: "by mutual agreement of the labor organizations involved"

7. Amend page 14, section 8, lines 6 and 7.

Following: "be"

Strike: "based on a majority of those voting within the total appropriate coalition"

Insert: "by mutual agreement of the labor organizations involved"

8. Amend page 14, section 9, line 17.

Following: "are"

Strike: "not"

9. Amend page 15, section 10, line 6.

Following: "16"

Insert: "or entered into as part of any other collective bargaining agreements"

10. Amend page 15, line 15.

Following: line 15

Insert: "Section 11. There is a new R.C.M. section numbered 59-915 that reads as follows:

59-915. Classification system for university employees. (1) The board of regents shall administer the classification system for employees of the university system.

(2) The department of administration shall furnish technical assistance to the board of regents for the administration of the classification system.

(3) The board of personnel appeals shall hear and rule upon appeals to assigned classifications of the university system in accordance with 82A-1014."

Renumber: subsequent section

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman):  
HB 819, do not pass.

3/29/77

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

4/2/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business April 2, 1977:

Brian Butcher.....Permanent Page,  
Minority Leader's Office



At the close of business April 2, 1977, the following also be terminated:

Hal Fossum.....Permanent Page,  
Minority Leader's Office

Report adopted.

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 6 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lynch, Manuel, Marks, Menahan, Moore, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Ryan, Seifert, Sivertsen, Smith, South, Staigmillar, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 62

Noes: Dussault, Estenson, Harper, Holmes, Huennekens, Keyser, Lory, Metcalf, Mular, Pistoria, Robbins, Scully, Severson, Teague, Tropila, Vincent, Waldron.  
Total 17

Excused: Jensen, Meyer.  
Total 2

Absent or not voting: Aageson, R. Baeth, Barrett, Brand, Burnett, Colburn, Cox, Curtiss, Johnston, Kennerly, Lien, Lund, McLane, Meloy, Roth, Shelden, Stobie, Tower, Uhde.  
Total 19

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 65 was adopted by the following vote:

Ayes: Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tower, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 75

Noes: W. Baeth, Gilligan, J. Gunderson, Holmes, Keyser, Lory, Mular, Scully, Severson, Teague, Tropila, Waldron.  
Total 12

Excused: Jensen, Meyer.  
Total 2

Absent or not voting: Aageson, R. Baeth, Barrett, Burnett, Colburn, Hurwitz, Kennerly, Lien, Marks, Roth, Uhde.  
Total 11

On motion by Bardanouve, and in accordance with the 24-hour rule,

the adverse committee report on House Bill 232 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Underdal, Vincent, Vinger, Wood, Wyrick, Mr. Speaker.

Total 76

Noes: Gerke, Hansen, Holmes, Lynch, Robbins, Scully, Severson, Teague, Waldron, Williams.

Total 10

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Brand, Burnett, Colburn, Ernst, Lien, McLane, Manuel, Roth, Tower, Uhde.

Total 12

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 311 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bertelsen, Bradley, Conroy, Cooney, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harrington, Hirsch, Hurwitz, Kanduch, Kenny, Kessler, Kropp, Kvaalen, Lund, Lynch, Manuel, Meloy, Menahan, Moore, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick.

Total 58

Noes: Bengtson, Courtney, Cox, Curtiss, Estenson, Fabrega, Gerke, Gould, Hand, Harper, Holmes, Huennekens, Johnston, Keyser, Kimble, Lory, McLane, Metcalf, Mular, Nathe, Porter, Ramirez, Scully, Teague, Tower, Tropila, Waldron, Mr. Speaker.

Total 28

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Brand, Burnett, Colburn, Kennerly, Lien, Marks, O'Connell, Roth, Shelden, Uhde.

Total 12

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 312 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel,

Meloy, Menahan, Metcalf, Moore, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Turner, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Cox, Dassinger, Ernst, Fabrega, Hand, Keyser, Mular, Nathe, Robbins, Shelden, Stobie, Teague, Tower, Tropila, Williams.

Total 15

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Brand, Burnett, Colburn, Kennerly, Lien, Marks, Roth, Uhde.

Total 10

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 342 was adopted by the following vote:

Ayes: Ageson, W. Baeth, Bardanouve, Bradley, Conroy, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Eudaily, Fagg, Feda, Frates, Gould, E. Gunderson, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kvaalen, Lund, McLane, Marks, Meloy, Menahan, Moore, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Ryan, Seifert, Sivertsen, Smith, South, Staigmiller, Turner, Vincent, Williams, Wood, Mr. Speaker.

Total 50

Noes: Bengtson, Bertelsen, Cooney, Courtney, Cox, Curtiss, Dussault, Ernst, Estenson, Fabrega, Gerke, Gilligan, J. Gunderson, Hand, Hansen, Harper, Keyser, Kimble, Kropp, Lory, Lynch, Manuel, Metcalf, Mular, Nathe, Palmer, Robbins, Scully, Severson, Stobie, Teague, Tropila, Underdal, Vinger, Waldron, Wyrick.

Total 36

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Brand, Burnett, Colburn, Halvorson, Kennerly, Lien, Roth, Shelden, Tower, Uhde.

Total 12

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 345 was adopted by the following vote:

Ayes: Ageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Holmes, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kvaalen, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, O'Connell, Palmer, Pistoria, Quilici, Robbins, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Underdal, Vincent, Williams, Wyrick, Mr. Speaker.

Total 61

Noes: Curtiss, Davis, Ernst, Fabrega, Hand, Hansen, Hirsch, Huennekens, Keyser, Kimble, Kropp, McLane, Mular, Nathe, O'Keefe, Porter, Ramirez, Ryan, Scully, Severson, Stobie, Teague, Tower, Tropila, Turner, Vinger, Waldron, Wood.

Total 28

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Bardanouve, Brand, Burnett, Colburn, Kennerly, Lien, Roth, Uhde.

Total 9

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 350 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Moore, O'Keefe, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 66

Noes: Courtney, Ellis, Gilligan, Hand, Hansen, Harrington, Holmes, Kenny, Kessler, Kimble, Lynch, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Porter, Teague, Tower, Tropila, Turner, Waldron.

Total 23

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Brand, Burnett, Colburn, Kennerly, Lien, Roth, Uhde.

Total 9

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 388 was adopted by the following vote:

Ayes: Aageson, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: W. Baeth, Courtney, Cox, Curtiss, Harper, Holmes, Kimble, Metcalf, Mular, Scully, Teague, Tropila, Uhde, Waldron.

Total 14

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Brand, Burnett, Colburn, Davis, Halvorson, Kennerly, Lien, O'Connell, Roth.

Total 11

On motion by Bardanouve, and in accordance with the 24-hour rule,



the adverse committee report on House Bill 426 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Colburn, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Moore, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Seifert, Severson, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 64

Noes: Bengtson, Conroy, Cooney, Courtney, Dussault, Ellis, Estenson, Fabrega, E. Gunderson, Harper, Holmes, Huennekens, Keyser, Kimble, Lynch, Meloy, Menahan, Metcalf, Mular, Nathe, Ryan, Scully, Shelden, Teague, Tropila, Waldron.

Total 26

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Burnett, Kennerly, Lien, O'Connell, Roth, Uhde.

Total 8

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 427 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kessler, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Turner, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Burnett, Courtney, Fabrega, Gilligan, Hand, Johnston, Kenny, Keyser, Manuel, Metcalf, Mular, O'Connell, Robbins, Ryan, Scully, Teague, Tropila, Vinger, Waldron.

Total 19

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Kennerly, Lien, Roth, Uhde.

Total 6

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 460 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Fagg, Fedra, Frates, Gerke, Gould, E. Gunderson, Halvorson, Hansen, Harper, Hirsch, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kropp, Kvaalen, Lund, McLane, Manuel, Marks, Meloy, Moore,

Nathe, O'Connell, O'Keefe, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tower, Turner, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 60

Noes: Aageson, Bengtson, Cooney, Courtney, Dussault, Estenson, Eudaily, Fabrega, Gilligan, J. Gunderson, Hand, Harrington, Holmes, Huennekens, Keyser, Kimble, Lory, Lynch, Menahan, Metcalf, Mular, Palmer, Porter, Quilici, Ramirez, Robbins, Scully, Teague, Tropila, Vincent, Waldron.

Total 31

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Kennerly, Lien, Pistoria, Roth, Uhde.

Total 7

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 503 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmilller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 75

Noes: Burnett, Courtney, Ellis, Gerke, E. Gunderson, Harper, Holmes, Huennekens, Kimble, Lynch, Menahan, Mular, O'Connell, Robbins, South, Teague, Tropila, Waldron.

Total 18

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Kennerly, Lien, Roth.

Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 505 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Holmes, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmilller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Brand, Courtney, Harper, Hirsch, Huennekens, Mular, Nathe, O'Connell, Robbins, South, Teague, Tropila.

Total 12

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Kennerly, Lien, Roth.

Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 539 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Kanduch, Kessler, Kropp, Kvaalen, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Moore, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Seifert, Severson, Shelden, Smith, South, Staigmillar, Turner, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 58

Noes: Aageson, Bengtson, Burnett, Cox, Curtiss, Ellerd, Ellis, Ellison, Ernst, Estenson, Fabrega, Fedra, Hirsch, Johnston, Kenny, Keyser, Kimble, McLane, Manuel, Mular, Nathe, O'Connell, O'Keefe, Ryan, Scully, Sivertsen, Stobie, Teague, Tower, Tropila, Underdal, Vinger, Wood.

Total 33

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Barrett, Davis, E. Gunderson, Kennerly, Lien, Roth.

Total 7

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 572 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Harper, Harrington, Holmes, Huennekens, Hurwitz, Kanduch, Kenny, Kessler, Kvaalen, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Moore, Palmer, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillar, Uhde, Vincent, Vinger, Williams, Wood, Mr. Speaker.

Total 59

Noes: Burnett, Conroy, Cooney, Curtiss, Davis, Ellerd, Ellison, Fabrega, Fedra, J. Gunderson, Hand, Hansen, Hirsch, Johnston, Keyser, Kimble, Kropp, McLane, Manuel, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Robbins, Severson, Stobie, Teague, Tower, Tropila, Turner, Underdal, Waldron, Wyrick.

Total 34

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Ernst, Kennerly, Lien, Roth.



Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 611 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kessler, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Moore, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Seifert, Shelden, Sivertsen, Smith, South, Stobie, Turner, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 65

Noes: Brand, Burnett, Courtney, Dassinger, Ellison, Gilligan, Hand, Harrington, Johnston, Kenny, Keyser, Kimble, Lynch, Menahan, Mular, Nathe, O'Connell, Quilici, Robbins, Ryan, Scully, Severson, Staigmillier, Teague, Tower, Tropila, Uhde, Vinger, Waldron.

Total 29

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, Roth.

Total 4

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 615 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 79

Noes: Burnett, Curtiss, Fabrega, Harper, Holmes, Keyser, McLane, Mular, Nathe, Ramirez, Scully, Teague, Tropila, Waldron.

Total 14

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, O'Connell, Roth.

Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 628 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson,



Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Hurwitz, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, McLane, Marks, Meloy, Menahan, Moore, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tower, Turner, Underdal, Vincent, Williams, Wyrick, Mr. Speaker.

Total 70

Noes: Burnett, Curtiss, J. Gunderson, Holmes, Huennekens, Johnston, Kimble, Lund, Lynch, Manuel, Metcalf, Mular, Nathe, Palmer, Robbins, Ryan, Scully, Teague, Tropila, Uhde, Vinger, Waldron.

Total 22

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, O'Connell, Roth, Wood.

Total 6

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 651 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kenny, Kessler, Kropp, Kvaalen, Lund, Lynch, McLane, Manuel, Marks, Meloy, Moore, Nathe, O'Keefe, Pistoria, Quilici, Seifert, Sivertsen, Smith, South, Staigmilller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 70

Noes: Barrett, Courtney, Ellis, Estenson, Fabrega, Johnston, Keyser, Kimble, Lory, Menahan, Metcalf, Mular, O'Connell, Palmer, Porter, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Teague, Tropila.

Total 23

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Harper, Kennerly, Lien, Roth.

Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 671 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Holmes, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Manuel, Marks, Meloy, Moore, O'Keefe, Palmer, Porter, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmilller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 69

Noes: Barrett, Cooney, Courtney, Dussault, Ellis, Fabrega, Gilligan, Harper, Harrington, Hirsch, Huennekens, Kimble, Lynch, Menahan, Metcalf, Mular, Nathe, O'Connell, Pistoria, Quilici, Robbins, South, Teague, Tropila, Waldron.

Total 25

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, Roth.

Total 4

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 684 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Bränd, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 76

Noes: Barrett, Colburn, Ellis, Gilligan, Harrington, Huennekens, Kessler, Kimble, Mular, O'Connell, Palmer, Ryan, Scully, Teague, Tropila, Waldron.

Total 16

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, Roth, Severson, Shelden.

Total 6

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 707 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Fabrega, Fagg, Fedá, Frates, Gerke, Gould, Hand, Hansen, Harrington, Hirsch, Hurwitz, Kanduch, Kropp, Kvaalen, Lory, Lynch, Marks, Meloy, Moore, O'Keefe, Porter, Quilici, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Tower, Turner, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 53

Noes: Aageson, Barrett, Burnett, Courtney, Cox, Curtiss, Ellis, Estenson, Eudaily, Gilligan, E. Gunderson, J. Gunderson, Harper, Holmes, Huennekens, Johnston, Kenny, Kessler, Keyser, Kimble, Lund, McLane, Manuel, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Ramirez, Robbins, Ryan, Scully, Sivertsen, Teague, Tropila, Uhde, Vinger, Waldron.

Total 40

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Halvorson, Kennerly, Lien, Roth.

Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule,

the adverse committee report on House Bill 715 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Gerke, Halvorson, Hand, Hansen, Harrington, Hurwitz, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Meloy, Moore, Mular, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Ryan, Severson, Sivertsen, Smith, Staigmiller, Stobie, Tower, Turner, Underdal, Williams, Wood, Wyrick, Mr. Speaker.  
Total 59

Noes: Aageson, Dassinger, Dussault, Estenson, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Harper, Hirsch, Holmes, Huennekens, Kessler, Kimble, Manuel, Marks, Menahan, Metcalf, Nathe, Ramirez, Scully, Seifert, Shelden, South, Teague, Tropila, Uhde, Vincent, Vinger, Waldron.  
Total 34

Excused: Jensen, Meyer.  
Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, O'Connell, Roth.  
Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 723 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Moore, Nathe, O'Keefe, Palmer, Porter, Quilici, Ramirez, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick.  
Total 75

Noes: Barrett, Dassinger, Gilligan, Hand, Huennekens, Kenny, Kessler, Kimble, Menahan, Mular, Pistoria, Robbins, Ryan, Scully, Teague, Tropila, Waldron, Mr. Speaker.  
Total 18

Excused: Jensen, Meyer.  
Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, O'Connell, Roth.  
Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 728 was adopted by the following vote:

Ayes: Aageson, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Davis, Day, Ellerd, Ellison, Ernst, Fedá, Gerke, E. Gunderson, Halvorson, Hand, Harper, Hirsch, Hurwitz, Johnston, Kanduch, Kenny, Kropp, Kvaalen, Lory, Lund, Manuel, Meloy, Moore, O'Keefe, Porter, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Turner, Underdal, Vincent, Williams, Mr. Speaker.



Total 47

Noes: W. Baeth, Barrett, Cooney, Courtney, Dassinger, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, J. Gunderson, Hansen, Harrington, Holmes, Huennekens, Kessler, Keyser, Kimble, Lynch, McLane, Menahan, Metcalf, Mular, Nathe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Teague, Tropila, Uhde, Vinger, Waldron, Wood, Wyrick.

Total 43

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, Marks, O'Connell, Roth, Stobie, Tower.

Total 8

On motion by Bardanoue, and in accordance with the 24-hour rule, the adverse committee report on House Bill 766 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanoue, Barrett, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Nathe, O'Keefe, Porter, Quilici, Ramirez, Robbins, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: Bengtson, Brand, Courtney, Dassinger, Day, Estenson, Frates, Gilligan, Harper, Huennekens, Kimble, Mular, O'Connell, Palmer, Pistoria, Ryan, Scully, Teague, Tropila, Waldron.

Total 20

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, Roth.

Total 4

On motion by Bardanoue, and in accordance with the 24-hour rule, the adverse committee report on House Bill 768 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanoue, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Hurwitz, Kanduch, Kessler, Keyser, Kropp, Kvaalen, McLane, Manuel, Marks, Meloy, Moore, O'Keefe, Porter, Ramirez, Scully, Seifert, Severson, Sivertsen, South, Staigmillier, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 65

Noes: Burnett, Curtiss, Estenson, Gilligan, E. Gunderson, Holmes, Huennekens, Johnston, Kenny, Kimble, Lory, Lund, Lynch, Menahan, Metcalf, Mular, Nathe, Palmer, Pistoria, Quilici, Robbins, Ryan, Smith, Teague, Tropila, Vinger, Waldron.



Total 27

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, O'Connell, Roth, Shelden.

Total 6

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 807 was adopted by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Cox, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Estenson, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, E. Gunderson, Hand, Hansen, Harper, Hurwitz, Johnston, Kanduch, Kessler, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Moore, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Tower, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 64

Noes: W. Baeth, Bertelsen, Burnett, Courtney, Curtiss, Dussault, Ellis, Eudaily, Gould, J. Gunderson, Harrington, Hirsch, Holmes, Huennekens, Kenny, Keyser, Kimble, Metcalf, Mular, Palmer, Robbins, Ryan, Scully, Shelden, Teague, Tropila, Uhde, Waldron.

Total 28

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Halvorson, Kennerly, Lien, O'Connell, Roth.

Total 6

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 820 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Cox, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gould, J. Gunderson, Hand, Hansen, Hirsch, Hurwitz, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lory, McLane, Manuel, Marks, Meloy, Moore, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Scully, Seifert, Severson, Shelden, South, Staigmilller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 63

Noes: Burnett, Colburn, Courtney, Curtiss, Dussault, Fedá, Gilligan, E. Gunderson, Harper, Harrington, Holmes, Huennekens, Johnston, Kimble, Lund, Lynch, Menahan, Metcalf, Mular, Nathe, Palmer, Pistoria, Robbins, Ryan, Sivertsen, Smith, Teague, Tropila, Vinger, Waldron.

Total 30

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Halvorson, Kennerly, Lien, Roth.

Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 822 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Fagg, Feda, Frates, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Hurwitz, Kanduch, Kessler, Kimble, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Nathe, Pistoria, Porter, Quilici, Ramirez, Robbins, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Turner, Underdal, Vincent, Vinger, Williams, Wood.

Total 64

Noes: Bengtson, Colburn, Cox, Dussault, Eudaily, Fabrega, Gerke, Gilligan, Gould, Harrington, Huennekens, Johnston, Kenny, Keyser, Kropp, Lund, McLane, Mular, O'Connell, O'Keefe, Palmer, Ryan, Scully, Seifert, Teague, Tower, Tropila, Uhde, Waldron, Wyrick, Mr. Speaker.

Total 31

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Roth.

Total 3

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 827 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Ellis, Gould, Huennekens, Mular, Palmer, Robbins, Teague, Tropila, Turner, Waldron.

Total 10

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Lien, O'Connell, Roth.

Total 5

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 831 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Turner, Vincent, Vinger, Williams, Wood, Mr. Speaker.

Total 75

Noes: Aageson, Eudaily, Fabrega, E. Gunderson, Holmes, Keyser, Lory, Menahan, Moore, Mular, O'Connell, Palmer, Scully, Teague, Tower, Tropila, Uhde, Underdal, Waldron, Wyrick.

Total 20

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Roth.

Total 3

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Joint Resolution 69 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Ellison, Estenson, Fagg, Frates, Gerke, Gould, J. Gunderson, Halvorson, Hand, Harrington, Holmes, Huennekens, Hurwitz, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Meloy, Metcalf, Moore, O'Connell, Palmer, Pistoria, Porter, Quilici, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 60

Noes: Aageson, Barrett, Bertelsen, Curtiss, Davis, Ellerd, Ernst, Eudaily, Fabrega, Feda, Gilligan, E. Gunderson, Hansen, Harper, Hirsch, Johnston, Keyser, Manuel, Marks, Menahan, Mular, Nathe, O'Keefe, Ramirez, Robbins, Ryan, Scully, Smith, Teague, Tower, Tropila, Turner, Uhde, Vinger, Waldron.

Total 35

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, Roth.

Total 3

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Joint Resolution 86 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 86

Noes: Keyser, Ryan, Scully, Smith, Teague, Wood.

Total 6

Excused: Jensen, Meyer.

Total 2



Absent or not voting: R. Baeth, Kennerly, O'Connell, Roth, Seifert, Turner.

Total 6

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on House Bill 811 was adopted by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Ellerd, Ellis, Ernst, Estenson, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lund, Manuel, Marks, Meloy, Menahan, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 72

Noes: W. Baeth, Bengtson, Curtiss, Day, Dussault, Ellison, Eudaily, Fabrega, Hand, Hirsch, Keyser, Lory, Lynch, McLane, Metcalf, Mular, Ramirez, Robbins, Scully, Teague, Tropila, Mr. Speaker.

Total 22

Excused: Jensen, Meyer.

Total 2

Absent or not voting: R. Baeth, Kennerly, O'Connell, Roth.

Total 4

### MOTIONS

Bardanouve moved that HB 678 be rereferred to the Committee on Appropriations. Motion carried.

Dassinger moved that the rules be suspended to allow introduction of a bill dealing with the earmarking of federal funds to be allocated at the county level. Lacking  $\frac{2}{3}$  majority, motion failed.

Huennekens moved that the Conference Committee on SA to HB 4 be dissolved and that a Free Conference Committee of three be appointed to meet with a like committee from the Senate on HB 4. Motion carried.

Meloy moved that the rules be suspended and that all bills having passed Second Reading today and Monday be placed on Third Reading that same day. Motion carried.

House recessed at 4:40 p.m.

House resumed at 5:20 p.m.

Mr. Speaker in the Chair.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House resolutions were introduced, read first time and referred to committees:

HR 3, introduced by Kanduch, Bradley, Driscoll, Gould, Marks, Nathe, McLane, Stobie, Ellis, O'Keefe, Hurwitz, Smith, Ramirez, Cox, Lory, Feda, Mular, Barrett, Jensen, Fabrega, Kennerly, W. Baeth, Cooney, Davis, Lund, Curtiss, Hand, Kimble, Waldron, Keyser, Roth, Aageson,



Ernst, Halvorson, Johnston, Turner, Menahan, Hansen, Brand, Tropila, R. Baeth, Eudaily, Wood. Referred to Committee on State Administration.

HR 4, introduced by Metcalf. Referred to Committee on Rules.

The following Senate joint resolution was introduced, read first time and referred to committee:

SJR 45, introduced by Stephens, Kolstad, Murphy, McOmber, Mathers, Turnage, Roberts. Referred to Committee on State Administration.

## REPORTS OF STANDING COMMITTEES

Meyer present at this time.

APPROPRIATIONS (Bardanoue, Chairman):

3/29/77

HB 678, do pass. Report adopted.

On motion by Bardanoue, and in accordance with the 24-hour rule, the adverse committee report on HB 830 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanoue, Batrett, Bertelsen, Bradley, Brand, Conroy, Cooney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Holmes, Huennekens, Hurwitz, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick.

Total 72

Noes: Fagg, Keyser, Manuel, Mular, Nathe, Tropila, Wood, Mr. Speaker.

Total 8

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Bengtson, Burnett, Colburn, Courtney, Dassinger, Ellis, Estenson, Gerke, Harrington, Hirsch, Johnston, Lien, Pistoria, Robbins, Roth, Severson, Stobie, Tower.

Total 19

On motion by Bardanoue, and in accordance with the 24-hour rule, the adverse committee report on HJR 4 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fagg, Fedra, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Menahan, Moore, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ryan, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 64

Noes: Barrett, Bradley, Dussault, Fabrega, Frates, E. Gunderson, J. Gunderson, Harper, Holmes, Huennekens, Keyser, Manuel, Metcalf, Meyer, Mular, Nathe, Ramirez, Scully, Tropila, Turner, Uhde, Vincent, Waldron.

Total 23

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Bardanouve, Bengtson, Colburn, Estenson, Marks, Meloy, Pistoria, Robbins, Roth, Seifert, Stobie.

Total 12

### MESSAGES FROM THE OTHER HOUSE

Bills concurred in by the Senate and returned  
to the House:

4/2/77

House Bill No. 338, introduced by Lynch (by request)

House Bill No. 741, introduced by R. Baeth, Johnston, Palmer

House Bill No. 765, introduced by Driscoll

Bills concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

4/2/77

House Bill No. 247, introduced by Palmer

House Bill No. 402, introduced by Menahan (by request)

House Bill No. 494, introduced by Gerke

House Bill No. 513, introduced by Gilligan, Ryan (by request)

House Bill No. 589, introduced by Williams, Gerke, et al

House Bill No. 638, introduced by Kimble, Lynch, Brand

House Bill No. 644, introduced by W. Baeth, Johnston

House Bill No. 724, introduced by Lynch (by request)

House Bill No. 760, introduced by Ellison, Cox

House Bill No. 801, introduced by Bardanouve

Bills and Resolution on Committee Report, not  
concurred in by the Senate, reports  
adopted, and returned to the House:

4/2/77

House Bill No. 544, introduced by Fabrega, Moore, et al

House Bill No. 590, introduced by Williams, McLane, et al

House Bill No. 653, introduced by Estenson, Barrett, Kessler

House Bill No. 688, introduced by Frates, Vincent, et al

House Bill No. 726, introduced by Brand, Cooney

House Joint Resolution No. 30, introduced by Bradley

4/2/77

Conference Committee on Senate Amendments to House Bill No. 4 was dissolved and the President was authorized to appoint the following new Free Conference Committee and requests the House to appoint a like committee to confer on House Bill No. 4:

Senator Lensink, Chairman

Senator Towe

Senator Lockrem

House Amendments to Senate Bill 336, introduced by  
Turnage, Hazelbaker, concurred in  
by the Senate.

4/2/77

Free Conference Committee Report on Senate Bill No. 26  
adopted by the Senate.

4/2/77

### MOTIONS

Vincent moved that the House reconsider its action taken in adopting the adverse committee report on HB 728. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 143 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, Sivertsen, South, Staigmillar, Teague, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 76

Noes: Brand, Burnett, Conroy, Davis, Ellerd, Fabrega, Hand, Keyser, Seifert, Severson, Smith, Stobie, Tropila, Turner, Underdal, Vinger, Wyrick.

Total 17

Excused: Jensen.

Total 1

Absent or not voting: Aageson, R. Baeth, Colburn, Dussault, Roth, Tower.

Total 6

House Bill No. 250 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 82

Noes: Burnett, Cox, Davis, Ellerd, Ellison, Estenson, E. Gunderson, Hand, Hurwitz, Kvaalen, Seifert, Stobie, Tower, Wood.

Total 14

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Roth.  
Total 3

House Bill No. 282 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bengtson, Bertelsen, Bradley, Burnett, Cooney, Courtney, Curtiss, Dassinger, Day, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harrington, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Severson, Sivertsen, Staigmillar, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 66

Noes: Bardanouve, Barrett, Brand, Cox, Davis, Dussault, Ellerd, Ellison, Feda, Hand, Harper, Hirsch, Hurwitz, Keyser, Kropp, Kvaalen, McLane, Moore, Porter, Ramirez, Seifert, Smith, South, Stobie, Tower, Turner, Vinger, Wyrick.  
Total 28

Excused: Jensen.  
Total 1

Absent or not voting: R. Baeth, Colburn, Conroy, Roth, Shelden.  
Total 5

House Bill No. 295 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Stobie, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 74

Noes: Brand, Burnett, Cox, Davis, Ellerd, Ellison, Ernst, Estenson, Feda, E. Gunderson, Kessler, Kropp, Kvaalen, McLane, Porter, Sivertsen, Smith, Staigmillar, Teague, Turner, Vinger, Wyrick.  
Total 22

Excused: Jensen.  
Total 1

Absent or not voting: R. Baeth, Colburn, Roth.  
Total 3

House Bill No. 357 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria,



Quilici, Robbins, Ryan, Scully, Severson, Shelden, Smith, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 82

Noes: Davis, Ellerd, Frates, E. Gunderson, Hirsch, Kvaalen, McLane, Porter, Ramirez, Seifert, Stobie, Tower, Turner.  
Total 13

Excused: Jensen.  
Total 1

Absent or not voting: R. Baeth, Colburn, Roth, Sivertsen.  
Total 4

House Bill No. 482 was passed by the following vote:

Ayes: Aageson, W. Baeth, Barrett, Bengtson, Bertelsen, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, South, Staigmiller, Stobie, Tower, Tropila, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 75

Noes: Bardanouve, Bradley, Brand, Burnett, Curtiss, Day, Ernst, Estenson, Halvorson, Hirsch, Kropp, McLane, Seifert, Sivertsen, Smith, Teague, Turner, Underdal, Vinger, Wood.  
Total 20

Excused: Jensen.  
Total 1

Absent or not voting: R. Baeth, Colburn, Ellison, Roth.  
Total 4

House Bill No. 754 was passed by the following vote:

Ayes: W. Baeth, Barrett, Bengtson, Conroy, Cooney, Courtney, Cox, Davis, Dussault, Ellerd, Ellis, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lien, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, South, Staigmiller, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.  
Total 64

Noes: Aageson, Bardanouve, Bertelsen, Bradley, Brand, Burnett, Curtiss, Dassinger, Day, Ellison, Ernst, Estenson, Halvorson, Hand, Hansen, Kimble, Kropp, Lory, Lund, McLane, Nathe, Seifert, Sivertsen, Smith, Stobie, Teague, Tower, Turner, Underdal, Vinger, Wood, Wyrick.  
Total 32

Excused: Jensen.  
Total 1

Absent or not voting: R. Baeth, Colburn, Roth.  
Total 3

House Joint Resolution No. 91 was passed by the following vote:

Ayes: Aageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Cox, Curtiss, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 81

Noes: Bardanouve, Brand, Courtney, Dassinger, Day, Estenson, J. Gunderson, Harper, Huennekens, Kessler, Palmer, Uhde, Waldron.  
Total 13

Excused: Jensen.  
Total 1

Absent or not voting: R. Baeth, Colburn, E. Gunderson, Quilici, Roth.  
Total 5

House Joint Resolution No. 94 was passed by the following vote:

Ayes: Aageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 91

Noes: Bardanouve, Davis, Staigmilller.  
Total 3

Excused: Jensen.  
Total 1

Absent or not voting: R. Baeth, Colburn, Hirsch, Roth, Turner.  
Total 5

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Gerke in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 378 do pass. (89-1)

That HB 504 do pass. (88-0)

That HB 554 be placed below HB 818.

That HB 569 do pass. (51-36)

That HB 592 do pass. (66-26)

That HB 693 do pass. (54-40)

That HB 779 do pass. (63-26)

That HB 781 do pass. (78-12)

That HB 797 do pass. (81-7)

That HB 808 do pass. (60-31)

That HB 818 do pass. (94-0)

That HB 554 be amended as follows:

1. Amend page 1, section 1.

Following: line 22

Insert: "(2) from the general fund, \$220,001 or so much thereof as may be necessary to satisfy the judgment in cause number 22296, county of Gallatin, in favor of Sourdough Land and Cattle Company;"

Renumber: subsequent subsection (49-39)

And as amended, do pass. (58-32)

That HB 828 be passed for the day.

That HB 832 do pass. (77-9)

That HB 835 do pass. (61-31)

That HB 836 do pass. (72-22)

That HB 837 do pass. (85-3)

That HB 85 be placed below HJR 88.

That HB 292 do pass. (77-2)

That HB 649 do pass. (67-9)

That HB 296 do not pass. (49-43)

That HJR 88 do pass. (88-0)

That HB 85 be placed below HB 689.

That HB 168 do pass. (51-38)

That the committee rise and report. (Gerke, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/2/77

Correctly printed - HB 525, HB 701.

Objection raised by Vincent on 4/2/77 on adverse committee report on HB 728. Referred to Second Reading.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 378 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Kennerly, Pistoria, Ryan.

Total 3

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Fagg, Harrington, Hurwitz, Kimble, Kvaalen, Palmer, Roth, South, Turner.

Total 11

House Bill No. 504 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmillier, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Davis, Tower.

Total 2

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.

Total 9

House Bill No. 569 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Brand, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Holmes, Huennekens, Kanduch, Kennerly, Kenny, Kessler, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, Teague, Tower, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 54



Noes: Aageson, Barrett, Bertelsen, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Feda, Hirsch, Johnston, Keyser, Kropp, Kvaalen, Lien, Lund, McLane, Nathe, Porter, Ramirez, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Tropila, Underdal, Vinger, Wood, Wyrick.  
Total 34

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Bradley, Colburn, J. Gunderson, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.  
Total 11

House Bill No. 592 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Keyser, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Quilici, Robbins, Scully, Shelden, Staigmiller, Teague, Uhde, Vincent, Waldron, Williams, Mr. Speaker.  
Total 59

Noes: Aageson, Bertelsen, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Fabrega, Feda, Hand, Kenny, Kropp, Kvaalen, Lien, Lund, McLane, Porter, Ramirez, Ryan, Seifert, Severson, Sivertsen, Smith, Stobie, Tower, Tropila, Underdal, Vinger, Wood, Wyrick.  
Total 31

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.  
Total 9

House Bill No. 693 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Bengtson, Bradley, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Fagg, Frates, Gerke, Gilligan, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Quilici, Robbins, Ryan, Scully, Shelden, Teague, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 52

Noes: Aageson, Barrett, Bertelsen, Brand, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, E. Gunderson, Kessler, Keyser, Kropp, Kvaalen, Lien, McLane, Meyer, Nathe, Pistoria, Porter, Ramirez, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Tower, Uhde, Vinger, Wyrick.  
Total 38

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.  
Total 9

House Bill No. 779 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kropp, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 72

Noes: Brand, Burnett, Conroy, Davis, Ellerd, Ellison, Ernst, Fabrega, Fedá, Keyser, Kvaalen, Lund, McLane, Meyer, Nathe, Staigmiller, Vinger, Wyrick.

Total 18

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.

Total 9

House Bill No. 781 was passed by the following vote:

Ayes: Aageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, Teague, Tower, Tropila, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 76

Noes: Bardanouve, Day, Dussault, Ellerd, Estenson, E. Gunderson, J. Gunderson, Huennekens, Kessler, Nathe, Staigmiller, Stobie, Uhde, Waldron.

Total 14

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.

Total 9

House Bill No. 797 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Sheldon, Sivertsen, Smith, Staigmiller,

Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Burnett, Kvaalen, Seifert, Vinger.

Total 4

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kessler, Kimble, Palmer, Roth, Severson, South, Turner.

Total 11

House Bill No. 808 was passed by the following vote:

Ayes: W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kessler, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Scully, Severson, Shelden, Stobie, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 61

Noes: Aageson, Bertelsen, Burnett, Cox, Davis, Ellerd, Ellison, Ernst, Fed, Gould, Hansen, Johnston, Kenny, Keyser, Kropp, McLane, Marks, Pistoria, Ryan, Seifert, Sivertsen, Smith, Staigmiller, Teague, Tower, Underdal, Vinger, Wood, Wyrick.

Total 29

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.

Total 9

House Bill No. 818 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Burnett, Cox.

Total 2

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.



Total 9

House Bill No. 554 was passed by the following vote:

Ayes: Aageson, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, Halvorson, Hand, Harper, Holmes, Huennekens, Kanduch, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Severson, Sheldon, Stobie, Tower, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.

Total 62

Noes: W. Baeth, Bardanouve, Brand, Conroy, Day, Ernst, Gerke, E. Gunderson, J. Gunderson, Hansen, Hirsch, Johnston, Kennerly, Kenny, Kropp, Meyer, Moore, Mular, Nathe, Pistoria, Ryan, Sivertsen, Smith, Staigmiller, Teague, Tropila, Uhde, Williams.

Total 28

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.

Total 9

House Bill No. 832 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Conroy, Davis, Ellerd, Tower.

Total 4

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, Smith, South, Stobie, Turner.

Total 11

House Bill No. 835 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Keyser, Lien, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Scully, Sheldon, Sivertsen, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 58



Noes: Bertelsen, Brand, Burnett, Conroy, Cox, Davis, Ellerd, Ellison, Ernst, Feda, Hand, Hirsch, Kenny, Kropp, Kvaalen, Lory, McLane, Meyer, Moore, Nathe, Pistoria, Ryan, Seifert, Severson, Smith, Staigmiller, Stobie, Tower, Underdal, Vinger, Wood, Wyrick.

Total 32

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.

Total 9

House Bill No. 836 was passed by the following vote:

Ayes: Ageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Quilici, Ramirez, Robbins, Scully, Shelden, Sivertsen, Smith, Teague, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 66

Noes: Conroy, Davis, Day, Ellerd, Ellison, Fabrega, Hand, Kennerly, Kenny, Keyser, McLane, Meyer, Pistoria, Porter, Ryan, Severson, Staigmiller, Stobie, Tower, Tropila, Vinger, Wood, Wyrick.

Total 23

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, Seifert, South, Turner.

Total 10

House Bill No. 837 was passed by the following vote:

Ayes: Ageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Keyser, Kimble, Palmer, Roth, South, Turner.

Total 10

House Bill No. 292 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Sheldon, Sivertsen, Smith, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Burnett, Curtiss, Ellison, Ernst, Stobie, Tower.

Total 6

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, Severson, South, Turner.

Total 10

House Bill No. 649 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Quilici, Ramirez, Robbins, Scully, Severson, Sheldon, Sivertsen, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 77

Noes: Burnett, Cox, Feda, Kenny, McLane, Pistoria, Porter, Ryan, Seifert, Smith, Stobie, Tower, Vinger.

Total 13

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner.

Total 9

House Joint Resolution No. 88 was passed by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert,

Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Kenny.

Total 1

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Tower, Turner.

Total 10

House Bill No. 168 was passed by the following vote:

Ayes: Ageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Keyser, Kropp, Lien, Lynch, Manuel, Marks, Meloy, Menahan, Meyer, Moore, O'Connell, O'Keefe, Porter, Quilici, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Tower, Tropila, Uhde, Underdal, Vincent, Wyrick.

Total 60

Noes: Bardanouve, Brand, Conroy, Dussault, Ellerd, Feda, E. Gunderson, Kennerly, Kenny, Kessler, Kvaalen, Lory, Lund, McLane, Metcalf, Mular, Nathe, Pistoria, Ramirez, Smith, Staigmiller, Stobie, Teague, Vinger, Waldron, Williams, Wood.

Total 27

Excused: Jensen.

Total 1

Absent or not voting: R. Baeth, Colburn, Davis, Ellison, Harrington, Hurwitz, Kimble, Palmer, Roth, South, Turner, Mr. Speaker.

Total 12

### UNFINISHED BUSINESS

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on House Bill 4: Huennekens, Chairman; Vincent and Ageson.

Meloy moved that the House adjourn until 11:00 a.m., April 4, 1977.

Motion carried.

House adjourned at 8:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## SEVENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana  
April 4, 1977

House Chambers  
Capitol Building

House convened at 11:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Eudaily, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

March 31, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Driscoll:

The following Pages will be employed in the House of Representatives for the week of April 4th through April 9th, 1977:

Tim Flynn	Dillon
Tom Moore	Great Falls
Noelle Paige	Butte
MacDonald Reagan	Cut Bank
Melodie Schnack	Livingston
Debbie Strickland	Deer Lodge
Karin Thomas	Bozeman
Gwen Travis	Great Falls
Annette Trinity	Missoula
Cathleen Tutty	Butte

The following Page will work from April 6th through April 12th, 1977:

Jim Staples	Butte
-------------	-------

Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/4/77  
Correctly printed - HB 272, HB 278, HB 450, HB 461, HB 678, HB 728.  
Correctly engrossed - HB 145.  
Correctly enrolled - HB 307.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:30 a.m., 4/4/77 - HB 100, HB 157, HB 186, HB 309, HB 584, HB 804.

Were signed by the Speaker on adjournment, 4/2/77 - HB 46, HB 321,

HB 351, HJR 10, HJR 74, SB 83, SB 111, SB 119, SB 132,  
SB 149, SB 223, SB 265, SB 298, SB 357, SB 403, SB 443, SJR 35.

Will be signed by the Speaker on adjournment, 4/4/77 - HB 307, SB 33,  
SB 289, SB 291, SB 293, SB 294, SB 389.

Examined by Sponsor and found to be correct - HB 307.

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

4/4/77

Recommend that the following be employed by the House of Representatives for the 45th session at the beginning of business April 4, 1977:

Tim Flynn .....	Page
Tom Moore .....	Page
Noelle Paige .....	Page
MacDonald Reagan.....	Page
Debbie Strickland.....	Page
Karin K. Thomas.....	Page
Gwendolyn Travis.....	Page
Annette Trinity.....	Page
Cathleen Tutty.....	Page
Melodie Schnack.....	Page

At the beginning of business April 6, 1977, the following also be employed:

Jim Staples.....	Page
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At the close of business April 2, 1977, the following also be terminated:

Thomas Albert Duke .....	Page
Tammy Elser.....	Page
Rick Folda .....	Page
Dennis Dean Gerke .....	Page
Allison P. Haegen.....	Page
Tim O'Leary .....	Page
Diana Parker .....	Page
Sherri Stieg.....	Page
Jeff W. Thomas.....	Page

At the close of business April 5, 1977, the following also be terminated:

Michael Callahan .....	Page
------------------------	------

At the close of business April 6, 1977, the following also be terminated:

Michael Timothy Garrity .....	Page
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Report adopted.

#### APPROPRIATIONS (Bardanouve, Chairman):

4/4/77

HB 161, do not pass.

HB 162, introduced bill, be amended as follows:

1. Amend title, line 4.

Following: "appropriating"

Strike: "\$500,000"

Insert: "\$200,000"

2. Amend page 1, section 1, line 11.

Following: "of"

Strike: "\$500,000"

Insert: "\$200,000"

And as amended, do not pass.

HB 140, introduced bill, be amended as follows:

1. Amend page 2, section 1, line 11.

Following: "(hereunder)"

Strike: "\$250"

Insert: "\$200"

2. Amend page 2, section 1, line 15.

Following: "(((\$175)))"

Strike: "\$250"

Insert: "\$200"

3. Amend page 2, section 1, line 19.

Following: "(per)"

Strike: "\$250"

Insert: "\$200"

4. Amend page 3, section 2, line 11.

Following: "(per)"

Strike: "\$250"

Insert: "\$200"

5. Amend page 4, section 3, line 2.

Following: "(per)"

Strike: "\$250"

Insert: "\$200"

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

HB 160, do pass. Report adopted.

HB 294, second reading copy, be amended as follows:

1. Amend page 15, section 7, line 12.

Following: "least"

Strike: "45"

Insert: "10"

2. Amend page 15, section 7, line 13.

Following: "estimate,"

Insert: "plus \$5,000 a year for boards employing full-time health officers and \$500 for all other boards,"

3. Amend page 15, section 7, lines 16 through 20.

Following: "programs"

Strike: lines 16 through 20 in their entirety

Insert: "."

And as amended, do pass. Report adopted.

HB 445, do not pass.

SB 11, be concurred in. Report adopted.

SB 72, be not concurred in.

## MESSAGES FROM THE GOVERNOR

April 4, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this date approved House Bill Nos. 63, 116, 196, 202, 371, 414, 623, and 641.

Sincerely,

THOMAS L. JUDGE  
Governor

April 4, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 207, 335, 349, 356, 395, 396, and 397.

Sincerely,

THOMAS L. JUDGE  
Governor

### MOTIONS

Lien moved that the rules be suspended to allow introduction of a bill regarding gambling. Motion failed.

W. Baeth moved that the rules be suspended to allow introduction of a house joint resolution to assist small bus lines in the State of Montana. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 145 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Sheldon, South, Staigmilller, Teague, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 69

Noes: Burnett, Conroy, Curtiss, Davis, Ellerd, Ellison, Ernst, Fabrega, Fedas, Hurwitz, Jensen, Keyser, Kropp, McLane, Meyer, Nathe, Porter, Ramirez, Seifert, Severson, Smith, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Wyrick.  
Total 29

Excused: None.  
Total 0



Absent or not voting: Colburn, Sivertsen.

Total 2

Paired: Aye, Eudaily; No, Seifert.

## REPORTS OF STANDING COMMITTEES

Objection raised by Fabrega on 4/4/77 on adverse committee report on HB 445. Referred to Second Reading.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 828 be placed at the bottom of the board.

That HB 85 do pass. (82-13)

That HB 207 do pass. (83-12)

That HB 208 do not pass. (51-42)

That HB 233 do not pass. (51-40)

That HB 242 be amended as follows:

1. Amend page 1, line 21.

Following: line 20

Strike: "80"

Insert: "58"

2. Amend page 2, line 10.

Following: line 10

Insert: "Section 2. Cost — savings documented — report. (1) The department of social and rehabilitation services shall develop a system to document and record any savings to the state as a result of expanded day-care assistance which enables a person receiving welfare assistance to gain and maintain employment.

(2) The department of social and rehabilitation services shall report to the 46th legislature the documented cost savings to the state for the biennium that is attributed to expanded day-care assistance."

Renumber: subsequent section

3. Amend page 2, line 12.

Following: "(1,600,000)"

Strike: "300,000"

Insert: "784,000"

4. Amend page 2, line 13.

Following: "(thereof,)"

Insert: "\$392,000 each year thereof," (59-34)

(Material in parentheses denotes cancelled type.)

And as amended, do pass. (69-27)

That HB 428 do pass. (93-0)

That HB 525 do pass. (66-27)

That HB 531 do pass. (51-44)

That HB 532 do pass. (60-35)

That HB 622 do pass. (65-31)

That HB 661 be placed below HJR 46.

That HB 663 do pass. (61-31)

That HB 678 do pass. (48-47)

That HB 689 do pass. (97-0)

That HB 701 do pass. (91-6)

That HB 756 do pass. (86-10)

That HB 796 be amended as follows:

1. Amend title, line 12.

Following: "43-718,"

Strike: "82-4203.2, 82-403,"

2. Amend title, line 13.

Following: line 12

Strike: "82-4203.4, and 82-4203.5,"

3. Amend page 15, line 4.

Following: line 3

Strike: "82-403.2, 82-4203.3, 82-4203.4, and 82-4203.5," (70-20)

And as amended, be passed to the bottom of the board.

That HB 821 do pass. (59-35)

That HB 826 do pass. (91-1)

That HB 829 be amended as follows:

1. Amend page 2, line 23.

Following: "(2)"

Insert: "give notice and"

2. Amend page 2, line 24.

Following: "and"

Insert: ", in consultation with Indian and non-Indian individuals and associations,"

3. Amend page 3, line 1.

Following: "reservations"

Strike: ".,"

Insert: ". Minutes of the hearings shall be made available to interested persons."

4. Amend page 3, line 10.

Following: "with"

Insert: "enumeration of positions held in common between state Indians and non-Indians and"

5. Amend page 3, line 11.

Following: "solutions"

Insert: "to problems found" (86-4)

And as amended, do pass. (72-25)

That HJR 46 do pass. (60-27)

That HB 661 be amended as follows:

1. Amend page 42, section 16, line 16.

Following: "(Section"

Strike: "13"

Insert: "14"

2. Amend page 42, section 16, line 18.

Following: "(Section"

Strike: "14"

Insert: "15" (79-8)

And as amended, do not pass. (62-37)

That HB 142 be amended as follows:

1. Amend page 2, line 1.

Following: "of"

Strike: "177,815"

Insert: "100,000"

2. Amend page 2, line 3.

Following: "the"

Strike: "University of Montana Law School"

Insert: "department of justice for the purpose of contracting with the Montana criminal law information research center for services to judges, justices of the peace, prosecutors and public defenders" (74-7)

And as amended, do not pass. (60-32)

That HB 261 be amended as follows:

1. Amend title, line 14.

Following: "R.C.M. 1947"

Insert: "; and providing an effective date"

2. Amend page 17.

Following: line 21

Insert: "Section 16. Effective date. This act is effective on July 1, 1979." (51-47)

And as amended, do pass. (51-46)

That HB 267 do not pass. (49-47)

That HB 272 be amended as follows:

1. Amend page 1, lines 19 through 24.

Following: line 18

Strike: lines 19 through 24

Insert: "state monies will not be a substitution for, but a supplement to currently existing local funds."

2. Amend page 2, line 20.

Following: "1965"

Strike: "and"

Insert: "including building alterations for senior centers" (72-15)

And as amended, do pass. (72-19)

Eudaily present at this time.

That HB 278 be passed for consideration to the time of consideration of the long-range building program.

That HB 355 do pass. (82-1)

That HB 366 be passed for the day.

That HB 450 do pass. (74-12)

That HB 461 be passed for the day.

That HB 502 do pass. (59-31)

That HB 517 do not pass. (70-21)

That HB 564 be passed to the bottom of the board.

That HB 714 do not pass. (72-19)

That HB 725 be amended as follows:

1. Amend title, line 10.

Following: "1947"

Insert: "; and providing an effective date"

2. Amend page 19.

Following: line 22

Insert: "Section 16. Effective date. This act becomes effective upon the enactment and approval of HR 3695 by the 95th Congress."

Renumber: subsequent section

3. Amend page 19, section 15, line 19.

Following: "sum of"

Strike: "\$1,096,440"

Insert: "\$350,000" (82-8)

And as amended, do pass. (68-26)

That HB 728 be amended as follows:

1. Amend title, line 6.

Following: "handicap"

Strike: "; and providing an immediate effective date"

2. Amend page 1, section 1, line 20.

Following: "taxpayer"

Insert: ", and have a handicap of great enough severity that it significantly reduces his ability to function normally"

3. Amend page 2, section 1, line 4.

Following: "physically" Strike: "malformed"

Insert: "handicapped"

4. Amend page 2, section 2, lines 8 through 9.

Following: line 7

Strike: section 2 in its entirety

Insert: "Section 2. Physician's verification of handicap required. A taxpayer claiming the exemption provided for in 84-4910.1 must provide with his income tax statement written documentation by a licensed physician that the handicap is of great enough severity that it significantly reduces the dependent child's ability to function normally." (83-5)



And as amended, do pass. (91-4)

That HB 780 do not pass. (64-28)

That HB 825 be amended as follows:

1. Amend page 1, section 5, line 20.

Following: "vote of"

Strike: "three-fourths ( $\frac{3}{4}$ )"

Insert: "three-fifths ( $\frac{3}{5}$ )" (74-22)

And as amended, do not pass. (56-41)

That HB 833 be amended as follows:

1. Amend page 1, line 10 through 17.

Following: line 9

Strike: lines 10 through 17 in their entirety

Renumber: subsequent subsection

2. Amend page 1, section 1, line 25 through line 21 on page 2.

Following: line 24, page 1

Strike: the remainder of the bill in its entirety (74-11)

And be further amended:

3. Amend page 1, line 18.

Following: "(2)"

Strike: "\$50,000"

Insert: "\$20,000" (68-25)

And as amended, do pass. (60-38)

That HB 828 be passed for the day.

That HB 796 be passed for the day.

That HB 140 be amended as follows:

1. Amend title, page 1, line 7.

Following: "to"

Strike: "\$250"

Insert: "\$200" (89-1)

And as amended, do pass. (82-10)

That HB 160 do pass. (66-25)

That HB 294 be amended as follows:

1. Amend page 10, section 5, line 6.

Following: "order"

Insert: "approved by the local board of health or, if none exists, by the county governing body"

2. Amend page 10, section 5, lines 11 through 17.

Following: "action."

Strike: lines 11 through 17 in their entirety

Insert: "The proprietor of the establishment may submit a plan for correcting the conditions to which the local health officer objected.

If the plan is acceptable and correction of the violation has been initiated, no order for closure will be issued." (90-0)

And as amended, do pass. (79-13)

That HB 564 be placed below HB 445.

That HB 445 be amended as follows:

1. Amend title, page 1, lines 7 and 8.  
Following: "account"  
Strike: "; amending section 50-1810, R.C.M. 1947"
2. Amend page 2, section 2, lines 3 through 25.  
Following: line 2  
Strike: section 2 in its entirety  
Renumber: subsequent sections
3. Amend page 3, section 4, line 8.  
Following: "provisions of"  
Strike: "50-1702"  
Insert: "50-1802"
4. Amend page 3, section 4, line 9.  
Following: "provided in"  
Strike: "50-1706"  
Insert: "50-1806" (82-1)

And as amended, do not pass. (77-18)

That HB 564 be amended as follows:

1. Amend page 2, section 1, line 2.  
Following: "sell liquor"  
Insert: "that shall be"
2. Amend page 6, section 3, subsection (3), line 6.  
Following: "(stores)"  
Strike: "facilities"  
Insert: "warehouses"
3. Amend page 6, section 3, subsection (3), line 8.  
Following: "municipality"  
Insert: "the number of which shall be held to a minimum and increased only with legislative approval"
4. Amend page 6, section 3, lines 20 through 22.  
Following: line 19  
Strike: subsection (7) in its entirety  
Renumber: subsequent subsections
5. Amend page 9, section 4, subsection (2)(1), lines 23 through 25.  
Following: line 22  
Strike: subsection (2)(1) in its entirety  
Renumber: subsequent subsection
6. Amend page 10, section 5, line 21.  
Following: "delivered"  
Strike: "40%"  
Insert: "54%"
7. Amend page 10, section 5, lines 22 and 23.  
Following: "Montana"  
Strike: ", plus 40% of its handling costs and freight to the retailer"
8. Amend page 10, section 5, line 25.  
Following: "taxed"  
Strike: "by"  
Insert: "under the rules of"

9. Amend page 13, section 7, line 25.

Following: "licensees"

Insert: "or distributors"

10. Amend page 14, section 7, line 3.

Following: "licensee"

Insert: "or distributor"

11. Amend page 14, section 7, line 24.

Following: "census."

Insert: "Any county with a population of 15,000 or less may be issued at least four package store licenses." (58-29)

(Material in parentheses denotes cancelled type.)

And as amended, do not pass. (74-24)

That the committee rise and report and beg leave to sit again. (Scully, Chairman)

Moore moved that HB 267 be segregated from the Committee of the Whole report. Motion failed.

Ramirez moved that HB 261 be segregated from the Committee of the Whole report. Motion carried.

Fagg moved that HB 564 be segregated from the Committee of the Whole report. Motion failed.

Meyer moved that HB 208 be segregated from the Committee of the Whole report. Motion failed.

Gerke moved that HB 233 be segregated from the Committee of the Whole report. Motion carried.

Thereupon report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/4/77

Correctly enrolled - HB 348, HB 370, HB 537, HB 558, HB 620, HB 741, HB 794.

Correctly printed - HB 140, HB 160, HB 294.

Will be signed by the Speaker on adjournment, 4/4/77- HB 537, HB 558.

Examined by Sponsors and found to be correct -HB 537, HB 558.

TAXATION (Huennekens, Chairman):

4/4/77

SB 100, be concurred in. Report adopted.

SB 129, be concurred in. Report adopted.

SB 130, third reading bill, be amended as follows:

1. Amend title, line 8.

Following: "(10)"

Strike: "4"

Insert: "10"

2. Amend page 1, section 1, line 19.

Following: "(10)"

Strike: "4"

Insert: "10"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 137, be concurred in. Report adopted.

SJR 2, be concurred in. Report adopted.

On motion by Meloy, and in accordance with the 24-hour rule, the adverse committee report on HB 819 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, Pistoria, Porter, Quilici, Ramirez, Roth, Seifert, Severson, Sheldon, Sivertsen, Smith, Staigmillar, Tower, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 76

Noes: Aageson, Colburn, Gilligan, Harper, Hirsch, Keyser, Lory, Mular, Nathe, Palmer, Ryan, Scully, Teague, Tropila, Uhde, Waldron.

Total 16

Excused: None.

Total 0

Absent or not voting: Bardanouve, Barrett, Davis, Kimble, O'Keefe, Robbins, South, Stobie.

Total 8

Objection raised by Estenson on 4/4/77 on adverse committee report on SB 72. Referred to Second Reading.

### MESSAGES FROM THE GOVERNOR

April 4, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear President McOmber and Speaker Driscoll:

In exercising the constitutional powers conferred upon me as Governor, I hereby return Senate Bill 269, "An act to revise Title 69, Chapter 49, to give the state primary enforcement responsibility under the Federal Safe Drinking Water Act; authorizing the Board of Health and Environmental Sciences to establish safe drinking water standards; authorizing the Department of Health and Environmental Sciences to administer and enforce the provisions of Title 69, Chapter 49; providing for the issuance of variances; requiring that laboratories performing analysis of public water supplies be licensed; providing for the collection of civil penalties; amending Sections 69-4902, 69-4903, 69-4904, and 69-4907, R.C.M. 1947; and repealing Section 69-4908, R.C.M. 1947.", without my signature and recommend the attached amendment.

As the bill is now written, the penalty provisions contain a possible



loophole. The language of the bill prescribes a penalty only for violation of the act or regulations adopted by the Department under the act. This language is inadequate for two reasons:

(1) The Board of Health, rather than the Department, adopts rules under the act.

(2) There is no reference to orders of the Board. Thus, presumably, there would be no way for the Board to enforce its orders under this act.

The attached amendment clears up these technical difficulties by making any rule or order of the Board or Department issued under the provisions of the act enforceable through this section.

I respectfully urge your concurrence in this amendment.

Sincerely,

TED SCHWINDEN  
Acting Governor

1. Amend page 9, section 6, line 15.

Following: "this act"

Strike: "or regulations prescribed by the department under"

Insert: "or any rule or order of the board or department issued under the provision of"

April 4, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill Nos. 73, 96, 108, 113, 308, 437, 495, 516, 551, 553, 583, 637, 645, 755, 757, 759, and 764.

Sincerely,

TED SCHWINDEN  
Acting Governor

April 4, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 10, 22, 40, 47, 79, 134, 144, 147, 187, 260, 283, 312, 322, 373, and 437.

Sincerely,

TED SCHWINDEN  
Acting Governor

**MESSAGES FROM THE OTHER HOUSE**

Bills concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments:

4/4/77

House Bill No. 299, introduced by Ellison, R. Baeth, Johnston, et al

House Bill No. 411, introduced by Dussault, Meloy

House Bill No. 610, introduced by Manuel (by request)

House Bill No. 634, introduced by Scully

Bill and Resolution on Committee Report not  
concurred in by the Senate, reports  
adopted, and returned to the House:

4/4/77

House Bill No. 646, introduced by Fagg, Palmer, et al

House Joint Resolution No. 63, introduced by Holmes, Ramirez, et al

The following Conference Committee Reports  
were adopted by the Senate  
on roll call vote:

4/4/77

Conference Committee Report on House Amendments to Senate Bill No.  
286

Free Conference Committee Report on Senate Bill No. 331

Free Conference Committee Report on House Bill No. 125

Conference Committee Report on Senate Amendments to House Bill No.  
352

Free Conference Committee Report on House Bill No. 612

Resolution passed by the Senate and transmitted  
to the House for concurrence:

4/4/77

Senate Joint Resolution No. 46, introduced by Towe, Himsl, et al

**MOTIONS**

Marks moved that the House reconsider its action taken in not passing  
HB 267 on Second Reading. Motion carried.

**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following House joint resolutions were introduced, read first time  
and referred to committees:

HJR 100, introduced by Dussault, South, Marks, Moore, Meloy,  
Kvaalen, Bradley, Driscoll. Referred to Committee on Education.

HJR 101, introduced by Public Health Subcommittee on Problems of  
the Elderly. Referred to Committee on Public Health, Welfare and  
Safety.

The following Senate joint resolution was introduced, read first time  
and referred to committee:

SJR 46, introduced by Towe, Himsl, Brown, Story, Flynn, Watt,  
Blaylock, Regan. Referred to Committee on Judiciary.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Scully in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 261 be amended as follows:

1. Amend title, line 14.

Following: "R.C.M. 1947"

Insert: "; and providing an effective date"

2. Amend page 17.

Following: line 21

Insert: "Section 16. Effective date. This act is effective on January 1, 1978." (83-14)

And as amended, do pass. (84-15)

That HB 233 do pass. (56-43)

That HB 267 be amended as follows:

1. Amend page 2, line 6.

Strike: "\$3,600"

Insert: "\$1,500" (64-34)

And as amended, do not pass. (49-42)

That the committee rise and report. (Scully, Chairman) Report adopted.

## THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 85 was passed by the following vote:

Ayes: Ageson, R. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: W. Baeth, Bardanouve, Courtney, Estenson, Frates, E. Gunderson, J. Gunderson, Harper, Kessler, Ryan, Tropila, Vincent.

Total 12

Excused: None.

Total 0

Absent or not voting: O'Keefe.

Total 1

House Bill No. 207 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Bardanouve, Brand, Estenson, Feda, Gerke, Hand, Harper, Kenny, Kessler, Ryan, Williams.

Total 11

Excused: None.

Total 0

Absent or not voting: O'Keefe.

Total 1

House Bill No. 242 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Lien, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 71

Noes: Bardanouve, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Fabrega, Feda, Hurwitz, Kenny, Keyser, Kvaalen, McLane, Manuel, Meyer, Moore, Pistoria, Roth, Seifert, Sivertsen, Smith, Tower, Turner, Underdal, Wood, Wyrick.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 428 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter,



Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

House Bill No. 525 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ernst, Eudaily, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 68

Noes: Bardanouve, Bertelsen, Burnett, Ellis, Ellison, Estenson, Fabrega, Fagg, Hirsch, Hurwitz, Jensen, Kropp, Kvaalen, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wyrick.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 531 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Quilici, Robbins, Scully, Severson, Shelden, South, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 61

Noes: Barrett, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellison, Ernst, Fabrega, Feda, Hansen, Hurwitz, Jensen, Kenny, Keyser, Kropp, Kvaalen, McLane, O'Keefe, Pistoria, Porter, Ramirez, Roth, Ryan, Seifert, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vinger, Wyrick.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 532 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Eudaily, Fagg, Frates, Gerke, Gilligan, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kessler, Kimble, Lien, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmilller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 62

Noes: Aageson, Bardanouve, Bertelsen, Burnett, Cox, Ellison, Ernst, Estenson, Fabrega, Fedra, Gould, E. Gunderson, J. Gunderson, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kropp, Kvaalen, Lund, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Roth, Sivertsen, Smith, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 622 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Scully, Seifert, Severson, Sivertsen, Smith, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Brand, Courtney, Dussault, Estenson, Gilligan, J. Gunderson, Harper, Huennekens, Kennerly, Meloy, Metcalf, Palmer, Robbins, Ryan, South, Waldron.

Total 16

Excused: None.

Total 0

Absent or not voting: Shelden.

Total 1

House Bill No. 663 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Severson, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 65

Noes: Aageson, Brand, Burnett, Conroy, Davis, Ellerd, Ellison, Ernst, Estenson, Fabrega, Feda, Hansen, Hurwitz, Jensen, Kenny, Keyser, Lund, Manuel, Marks, Meyer, Moore, Nathe, Porter, Ramirez, Roth, Seifert, Sivertsen, Smith, Staigmilller, Stobie, Tower, Turner, Underdal, Vinger, Wyrick.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 678 failed to pass by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Brand, Cooney, Courtney, Dassinger, Day, Dussault, Estenson, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Quilici, Robbins, Ryan, Scully, Shelden, South, Waldron, Williams, Mr. Speaker.

Total 46

Noes: Aageson, Barrett, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hirsch, Hurwitz, Jensen, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Wood, Wyrick.

Total 53

Excused: None.

Total 0

Absent or not voting: Pistoria.

Total 1

House Bill No. 689 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0



Absent or not voting: None.

Total 0

House Bill No. 701 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 84

Noes: Brand, Burnett, Conroy, Day, Ellerd, Lory, Lund, McLane, Nathe, Porter, Ramirez, Roth, Stobie, Tower, Turner, Wood.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 756 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Aageson, Burnett, Cox, Davis, Ellerd, Ellison, Feda, Hansen, Roth, Smith, Underdal, Vinger.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 821 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan,



Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vinger, Waldron, Williams, Wood, Wyrick.

Total 77

Noes: Bradley, Brand, Colburn, Cooney, Courtney, Dussault, Frates, Gerke, E. Gunderson, Harrington, Hirsch, Huennekens, Lien, Meloy, Metcalf, Pistoria, Quilici, Sivertsen, South, Staigmillar, Uhde, Vincent, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 826 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: Brand, Kennerly.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 829 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Estenson, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lien, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 78

Noes: Aageson, Barrett, Burnett, Davis, Ellerd, Ernst, Eudaily, Gould, Hand, Hurwitz, Jensen, Keyser, Kropp, Kvaalen, Lory, McLane, Porter, Roth, Stobie, Underdal, Wyrick.

Total 21

Excused: None.

Total 0

Absent or not voting: Severson.

Total 1

House Joint Resolution No. 46 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Colburn, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Johnston, Kanduch, Kessler, Keyser, Kimble, Kvaalen, Lory, Lund, Lynch, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Sheldon, South, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 61

Noes: Barrett, Bertelsen, Brand, Burnett, Conroy, Cox, Davis, Ellerd, Ellison, Ernst, Fabrega, Feda, E. Gunderson, Hirsch, Hurwitz, Jensen, Kennerly, Kenny, Kropp, Lien, McLane, Manuel, Marks, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Staigmilller, Tower, Vinger, Wood, Wyrick.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 261 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Bardanouve, Dussault, Frates, E. Gunderson, J. Gunderson, Hand, Kimble, Meloy, Uhde, Waldron.

Total 10

Excused: None.

Total 0

Absent or not voting: Shelden.

Total 1

House Bill No. 272 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz,

Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 82

Noes: Aageson, Brand, Burnett, Conroy, Davis, Ellerd, Fabrega, Lory, Lund, Moore, Nathe, Ramirez, Sivertsen, Smith, Underdal, Wood, Wyrick.

Total 17

Excused: None.

Total 0

Absent or not voting: Tower.

Total 1

House Bill No. 355 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Hirsch, Jensen.

Total 2

Excused: None.

Total 0

Absent or not voting: Huennekens.

Total 1

House Bill No. 450 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 87

Noes: Burnett, Day, Ellison, E. Gunderson, Lund, Moore, Nathe, Roth, Turner, Vinger, Wyrick.

Total 11



Excused: None.

Total 0

Absent or not voting: Huennekens, Severson.

Total 2

House Bill No. 502 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, South, Stobie, Teague, Tower, Tropila, Vincent, Williams, Wood, Mr. Speaker.

Total 74

Noes: Bertelsen, Bradley, Ellison, Estenson, Fagg, Feda, E. Gunderson, J. Gunderson, Hand, Jensen, Kropp, Metcalf, Moore, Palmer, Porter, Sivertsen, Smith, Staigmilller, Uhde, Underdal, Vinger, Waldron, Wyrick.

Total 23

Excused: None.

Total 0

Absent or not voting: Halvorson, Severson, Turner.

Total 3

House Bill No. 725 was passed by the following vote:

Ayes: Aageson, W. Baeth, Barrett, Bertelsen, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harrington, Holmes, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, South, Staigmilller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: R. Baeth, Bardanouve, Bengtson, Bradley, Dussault, Estenson, Fagg, E. Gunderson, J. Gunderson, Harper, Hirsch, Huennekens, Hurwitz, Jensen, Kenny, Kvaalen, Lund, Moore, Nathe, Palmer, Shelden, Sivertsen, Smith, Turner, Waldron.

Total 25

Excused: None.

Total 0

Absent or not voting: Severson.

Total 1

House Bill No. 728 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper,



Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 99

Noes: Hand.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 825 failed to pass by the following vote:

Ayes: W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Dussault, Estenson, Fagg, Frates, Gerke, J. Gunderson, Halvorson, Hansen, Harper, Holmes, Kanduch, Kennerly, Kessler, Kimble, Lund, Manuel, Meloy, Menahan, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Ramirez, Scully, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Mr. Speaker.

Total 43

Noes: Aageson, R. Baeth, Barrett, Bengtson, Burnett, Conroy, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gilligan, Gould, E. Gunderson, Hand, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Marks, Metcalf, Meyer, Moore, O'Keefe, Quilici, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, Staigmillier, Stobie, Tower, Turner, Underdal, Vinger, Williams, Wood, Wyrick.

Total 56

Excused: None.

Total 0

Absent or not voting: Huennekens.

Total 1

House Bill No. 833 was passed by the following vote:

Ayes: W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Cooney, Courtney, Cox, Curtiss, Day, Dussault, Ellis, Estenson, Eudaily, Fagg, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kennerly, Kessler, Kvaalen, Lien, Lory, Meloy, Menahan, Metcalf, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, South, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 59

Noes: Aageson, R. Baeth, Brand, Burnett, Conroy, Dassinger, Davis, Ellerd, Ernst, Fabrega, Feda, Gerke, Gould, Hansen, Hurwitz, Johnston, Kenny, Keyser, Kropp, Lund, Lynch, McLane, Manuel, Marks, Meyer, Moore, Mular, Nathe, Quilici, Seifert, Severson, Sivertsen, Smith, Staigmillier, Stobie, Tower, Vinger, Wyrick.

Total 38

Excused: None.

Total 0

Absent or not voting: Bardanouve, Ellison, Kimble.

Total 3

House Bill No. 140 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 80

Noes: Bardanouve, Bengtson, Burnett, Colburn, Day, Ellerd, Ellison, Ernst, Estenson, Fabrega, E. Gunderson, J. Gunderson, Jensen, Kvaalen, Lund, Meyer, Moore, Nathe, Staigmiller, Wood.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 160 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Estenson, Eudaily, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lien, Lory, Lynch, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Shelden, South, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 62

Noes: Barrett, Bertelsen, Brand, Burnett, Colburn, Conroy, Ellerd, Ellison, Ernst, Fabrega, Fagg, Fedra, E. Gunderson, Hurwitz, Jensen, Johnston, Keyser, Kropp, Kvaalen, Lund, McLane, Manuel, Meyer, Moore, O'Keefe, Porter, Ramirez, Severson, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Turner, Underdal, Vinger, Wyrick.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House Bill No. 294 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen,

Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 78

Noes: Burnett, Davis, Ellerd, Gould, Hand, Johnston, Manuel, Meyer, Moore, Nathe, Porter, Roth, Seifert, Smith, Stobie, Tower, Turner, Uhde, Vinger, Wood, Wyrick.

Total 21

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

House Bill No. 233 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bradley, Cooney, Courtney, Dassinger, Day, Dussault, Estenson, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lien, Lynch, Manuel, Meloy, Menahan, Metcalf, O'Connell, Palmer, Quilici, Robbins, Scully, Seifert, Severson, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 50

Noes: Aageson, Bardanouve, Barrett, Bertelsen, Brand, Burnett, Colburn, Conroy, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Feda, Gould, Hansen, Hurwitz, Jensen, Kenny, Keyser, Kropp, Kvaalen, Lory, Lund, McLane, Marks, Meyer, Moore, Mular, Nathe, O'Keefe, Pistoria, Porter, Ramirez, Roth, Ryan, Sivertsen, Smith, Staigmiller, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 49

Excused: None.

Total 0

Absent or not voting: Halvorson.

Total 1

Kimble moved that he be allowed to change his vote from yes to no on HB 261. Motion carried.

Vinger moved that he be allowed to change his vote from no to yes on HB 701. Motion carried.

Waldron moved that he be allowed to change his vote from yes to no on HB 261. Motion carried.

Meloy moved that the House adjourn until 2:00 p.m., April 5, 1977.

Motion carried.

House adjourned at 7:40 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## SEVENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana  
April 5, 1977

House Chambers  
Capitol Building

House convened at 2:00 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, Mular, Roth, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/5/77  
Correctly enrolled - HB 338, HB 596, HB 765.

Were signed by the Speaker on adjournment, 4/4/77- HB 307, HB 537, HB 558, SB 33, SB 289, SB 291, SB 293, SB 294, SB 389.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 1:30 p.m., 4/5/77 - HB 46, HB 307, HB 321, HB 351, HB 537, HB 558.

RULES (Meloy, Chairman): 4/5/77  
SB 344, reported without recommendation. Report adopted.

PUBLIC HEALTH, WELFARE AND SAFETY  
(Menahan, Chairman): 4/5/77  
HJR 95, do pass. Report adopted.

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 161 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cox, Curtiss, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fedra, Gerke, E. Gunderson, J. Gunderson, Halvorson, Hansen, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Menahan, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Stobie, Tower, Turner, Underdal, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 68

Noes: Aageson, Colburn, Cooney, Courtney, Dussault, Estenson, Frates, Gilligan, Harper, Hirsch, Holmes, Huennekens, Manuel, Meloy, Metcalf, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Wood.  
Total 22

Excused: Kennerly, Mular, Roth.  
Total 3

Absent or not voting: Brand, Dassinger, Fagg, Gould, Hand, Harrington, Kimble.  
Total 7

**MOTIONS**

Lynch moved that SB 80 be rereferred from Second Reading to the Committee on Rules. As a substitute motion South moved that SB 80 be rereferred from Second Reading to the Committee on Appropriations. South's motion carried.

Meloy moved that consideration of House Bill 828 be passed to the 85th Legislative Day. Motion carried.

Fagg moved that HB 796 be rereferred from Second Reading to the Committee on Rules. Motion carried.

Moore moved that the following votes on HB 267 be spread upon the journal: the vote on yesterday's motion to reconsider, the subsequent Second Reading vote, and the vote on this motion. Motion carried.

**REPORTS OF STANDING COMMITTEES**

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on HB 162 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 82

Noes: Colburn, Cooney, Courtney, Ellis, Gilligan, Harper, Harrington, Lynch, Quilici, Robbins, South, Teague, Tropila, Waldron.

Total 14

Excused: Kennerly, Mular, Roth.

Total 3

Absent or not voting: Tower.

Total 1

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Dussault in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 366 do not pass. (73-15)

That HB 461 do pass. (67-27)

That SB 11 be concurred in. (73-14)

That SB 48 be not concurred in. (72-25)

That SB 65 be concurred in. (80-9)

That SB 71 be amended as follows:

1. Amend amendment no. 3.

Strike: "36,000"

Insert: "37,000"

2. Amend amendment no. 4.

Strike: "35,000"

Insert: "36,000"

3. Amend amendment no. 10.

Strike: "32,500"

Insert: "35,000" (71-22)

And be further amended:

4. Amend amendment no. 8.

Strike: "22,500"

Insert: "25,000" (47-44)

And as amended, be concurred in. (71-25) Meloy abstained.

That SB 72 be concurred in. (64-22)

Meloy replaced Dussault in the Chair.

Halvorson requested that the ayes and naves of SB 97 be spread upon the journal. Sufficient seconds arose, and the motion that SB 97 be concurred in failed by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Burnett, Curtiss, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gerke, E. Gunderson, Halvorson, Hand, Harper, Holmes, Jensen, Kessler, Lory, Lund, McLane, Metcalf, Porter, Ramirez, Roth, Scully, Seifert, Severson, Sheldon, Tower, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick.

Total 44

Noes: Barrett, Bengtson, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Driscoll, Ellison, Fabrega, Gilligan, Gould, J. Gunderson, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lynch, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Vinger, Williams.

Total 56

Paired: Dussault, Fagg, Harper, Holmes, Sheldon, Vincent, Ayes; Kennerly, Kvaalen, Lynch, Menahan, Mular, South, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Thereupon SB 97 was not concurred in. (43-57)

That the committee rise and report. (Meloy, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Examined by Sponsors and found to be correct - HB 338, HB 348, HB 370, HB 596, HB 620, HB 741, HB 765, HB 794.

Will be signed by the Speaker on adjournment, 4/5/77 - HB 338,

HB 348, HB 370, HB 596, HB 620, HB 741, HB 765, HB 794,  
SB 194, SB 292, SB 385, SB 429.

TAXATION (Huennekens, Chairman):

4/5/77

SB 121, be not concurred in.

SB 145, be not concurred in.

SB 150, be concurred in. Report adopted.

SB 177, third reading bill, be amended as follows:

1. Amend page 4, section 2, line 17.

Following: "application"

Insert: "and a permanent ownership number"

2. Amend page 4, section 2, line 23.

Following: "snowmobile."

Insert: "The owner of a snowmobile shall display his certificate of ownership number on both sides of the cowl of the snowmobile and shall maintain the number in legible condition at all times. The number shall read from left to right and be marked in Arabic numerals, in block characters of good proportion, and shall be a minimum of 3 inches in height, excluding border or trim, and of a color that contrasts with the color of the background."

3. Amend page 13, section 12, lines 11 and 12.

Following: "(and)"

Strike: ", "

Insert: "and"

Following: "streets"

Strike: ", and railroad right-of-way"

4. Amend page 13, section 12, line 14.

Following: "(time.)"

Insert: "No person shall operate a snowmobile upon a controlled access highway or facility at any time."

5. Amend page 13, section 12, lines 16 and 17.

Following: "(or)"

Insert: "or"

Following: "street"

Strike: ", railroad right-of-way or railroad tracks"

6. Amend page 13, section 12, lines 19 and 20.

Following: "(or)"

Insert: "or"

Following: "highway"

Strike: ", railroad right-of-way or railroad tracks"

7. Amend page 14, section 12, line 1.

Following: "(or)"

Insert: "or"

8. Amend page 14, section 12, lines 2, 3, 4.

Following: "highways(,)"

Strike: "or an official representative of the railroad, in the case of railroad right-of-way or railroad tracks"

9. Amend page 14, section 12, line 9.

Following: "(or)"

Insert: "or"

Following: "highway(,)"

Strike: ", railroad right-of-way or railroad tracks"

10. Amend page 14, section 12, line 20.



Following: "(or)"

Insert: "or"

Following: "highway,"

Strike: "railroad right-of-way or railroad tracks"

11. Amend page 15, section 12, lines 2 and 3.

Following: "street"

Strike: ", "

Following: "(or)"

Insert: "or"

Following: "highway"

Strike: "railroad right-of-way or railroad tracks"

12. Amend page 15, section 12, line 4.

Following: "chapter"

Insert: ", "

13. Amend page 15, section 12, lines 7 and 8.

Following: "road"

Strike: ", "

Following: "(or)"

Insert: "or"

Following: "highway,"

Strike: "railroad right-of-way or railroad tracks,"

Following: "road"

Strike: ", "

Following: "(or)"

Insert: "or"

14. Amend page 15, section 12, line 9.

Following: "highway"

Strike: ", railroad right-of-way or railroad tracks"

15. Amend page 17, section 14, lines 3 through 6.

Following: line 2

Strike: subsection (c) in its entirety

Reletter: subsequent subsection

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman):

4/6/77

SB 324, third reading copy, be amended as follows:

1. Amend page 1, section 1, lines 21 and 22.

Following: "refineries"

Strike: "and fertilizer plants"

2. Amend page 2, section 1, lines 19 and 20.

Following: "more"

Strike: "to produce hydrocarbon products or energy in any form for ultimate public use"

And as amended, be not concurred in.

AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman):

4/5/77

HJR 96, do pass. Report adopted.

Objection raised by Lien on 4/5/77 on adverse committee report on SB 121. Referred to Second Reading.

**REPORTS OF SELECT COMMITTEES**  
**FREE JOINT CONFERENCE COMMITTEE**  
**ON HOUSE BILL NO. 664**  
**Report No. 1, April 4, 1977**

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 664, met April 4, 1977, and considered:

Senate Committee on Agriculture, Livestock and Irrigation Amendments dated March 17, 1977,

Senate Committee of the Whole Amendments dated March 21, 1977, and recommend as follows:

Having had under consideration Senate Committee on Agriculture, Livestock and Irrigation Amendments dated March 17, 1977,

That the Senate recede from amendment numbers 1 and 2, reading as follows:

1. Amend title, page 2, line 4.

Following: "water"

Insert: ", and providing attorney fees to prior appropriators who object to the issuance of a water use permit whenever the permit application is denied"

2. Amend page 11.

Following: line 17

Insert: "Section 6. There is a new R.C.M. section numbered 89-884.1 that reads as follows:

89-884.1. Recovery of attorney fees when application denied. (1) If an application for a permit is denied, the applicant shall pay the reasonable attorney fees of any prior appropriator who objected to the application and was represented by an attorney at the hearing.

(2) The amount of the fee recoverable under subsection (1) shall be determined by the department after the hearing. The department shall notify both the applicant and the objector of the amount. The award of attorney fees under subsection (1) is a final action of the department and may be appealed to the district court.

(3) If an applicant appeals a denial of a permit to the district court and the denial is sustained, the district court may award reasonable attorney fees to any prior appropriator who objected to the application and was represented by an attorney in the court action."

Renumber: all subsequent sections

Having had under consideration Senate Committee of the Whole Amendments dated March 21, 1977,

That the Senate recede from amendment number 1, which reads as follows:

1. Amend page 2, section 1, line 13.

Following: "and"

Insert: "excepting"

And further that the House accede to amendment number 2,

And further that House Bill No. 664, third reading bill, be amended as follows:

1. Amend title, page 2, line 2.

Following: "board;"

Strike: "and"

2. Amend title, page 2, line 4.

Following: "water"

Insert: "; to provide that attorney fees shall be awarded to the prevailing party in any court litigation on an application for a permit; and providing for an immediate effective date"

3. Amend page 16.

Following: line 22

Insert: "Section 11. There is a new R.C.M. section numbered 89-8-100.1 that reads as follows:

89-8-100.1. Recovery of attorney fees by prevailing party. If a final decision of the department on an application for a permit is appealed to district court, the district court shall award the prevailing party reasonable attorney fees.

Section 12. Effective date. This act is effective upon its passage and approval."

And that the Conference Committee Report on House Bill No. 664 be adopted.

FOR THE HOUSE:

DAY, Chairman  
SCULLY  
ELLISON

FOR THE SENATE:

BOYLAN, Chairman  
DOVER  
BERGREN

Report adopted.

### MESSAGES FROM THE GOVERNOR

April 5, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill Nos. 43, 71, 77, 175, 226, 236, 260, 300, 305, 404, 468, 523, 526, 533, 607, 669, 677, 685, 742, 763, and 815.

Sincerely,

TED SCHWINDEN  
Acting Governor

April 5, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 4, 17, 58, 128, 131, 138, 178, 181, 219, 231, 241, 254, 258, 261, 270, 277, 287, 290, 300, 301, 316, 326, 327, 358, 366, 393, and 420.

Sincerely,

TED SCHWINDEN  
Acting Governor

April 5, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear President McOmber and Speaker Driscoll:

In exercising the constitutional powers conferred upon me as Governor I return House Bill 301, "An act amending Section 82A-605 to require that a veterinarian actively engaged in food animal medicine be placed on the Board of Health", without my signature and recommend the attached amendment.

House Bill 301 requires that a veterinarian actively engaged in food animal medicine be placed on the Board of Health. While this does restrict the selection of candidates for the veterinary position to about 150 persons, I acknowledge the presence of a veterinarian could contribute beneficially to the work of the board. My concern is not the appointment of the veterinarian, rather the schedule for implementation of the bill. In effect, the bill requires that the next appointment to the board be that of a veterinarian. This operates unfairly to prohibit the reappointment of the present board member whose term next expires, despite his professional skills and experience as a board member.

The proposed amendment ensures that the wealth of the experience found among the present board members need not be lost by prohibiting the reappointment of a present member, but fills the intent of House Bill 301 by requiring that the next vacancy otherwise available be filled by a practitioner of veterinary medicine.

I ask for your favorable concurrence in this amendment.

Sincerely,

TED SCHWINDEN  
Acting Governor

1. Amend page 2, section 2, lines 12 and 13.

Following: "implemented"

Strike: "at the time the next vacancy on the board of health occurs"

Insert: "as the next vacancies occur on the board of health, provided that when a present member of the board is reappointed to a new term upon expiration of his present term, no vacancy shall be deemed to have occurred"

April 5, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601



The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear President McOmber and Speaker Driscoll:

In exercising the constitutional powers conferred upon me as Governor I return House Bill 178, "An act requiring the Department of Administration to compile and make available in pamphlet form all Montana statutes relating to fire protection and to revise and republish the same within 90 days after the end of each legislative session", without my signature and recommend the attachment amendment.

At present, the senior fire protection officer in state government is the State Fire Marshall, whose office is located in the Department of Justice. It would seem only appropriate that preparation and distribution of a pamphlet containing Montana statutes relating to fire protection be undertaken by the State Fire Marshall, who regularly communicates with the several fire departments of the state. In addition, I note that no appropriation has been provided to the Department of Administration for the purpose of publishing the pamphlet.

The attached amendment places the publication in the hands of the State Fire Marshall. I ask for your favorable concurrence in this amendment.

Sincerely,

TED SCHWINDEN  
Acting Governor

1. Amend title, line 6.

Following: "(justice)"

Strike: "administration"

Insert: "justice"

2. Amend page 1, section 1, line 14.

Following: line 13

Strike: "administration"

Insert: "justice"

3. Amend page 1, section 1, line 23.

Following: "(justice)"

Strike: "administration"

Insert: "justice"

(Material in parentheses denotes cancelled type.)

#### MESSAGES FROM THE OTHER HOUSE

Resolutions concurred in by the Senate  
and returned to the House:

4/5/77

House Joint Resolution No. 66, introduced by Menahan (by request)

House Joint Resolution No. 70, introduced by Nathe, Driscoll, Ramirez,  
et al

House Joint Resolution No. 85, introduced by Uhde, Kimble, Driscoll,  
et al

Bills concurred in as amended by the Senate  
and returned to the House for  
concurrence in Senate Amendments:

4/5/77

House Bill No. 164, introduced by Harper (by request)

House Bill No. 280, introduced by Scully, Ramirez, Kimble

House Bill No. 326, introduced by Lory, Scully (by request)

House Bill No. 389, introduced by Scully (by request)

House Bill No. 587, introduced by Moore

Bills on Committee Report in the Senate, not  
concurred in, reports adopted, and returned  
to the House:

4/5/77

House Bill No. 552, introduced by Dassinger, Fabrega, et al

House Bill No. 713, introduced by Ramirez, Porter, et al

Bill on Committee Report in the Senate, not  
concurred in as amended, report adopted,  
and returned to the House:

4/5/77

House Bill No. 652, introduced by Kennerly

4/5/77

Free Conference Committee report on House Joint Resolution No. 21 was  
adopted by the Senate on roll call vote.

4/5/77

Senate acceded to the request of the House for the return of Senate Bill  
No. 381 for further consideration.

Resolution passed by the Senate and transmitted  
to the House for concurrence:

4/5/77

Senate Joint Resolution No. 43, introduced by Dover, Turnage,  
McOmber, et al

House Amendments to the following Senate Bills  
were concurred in by the Senate:

4/5/77

House Amendments to Senate Bill No. 9, introduced by Graham

House Amendments to Senate Bill No. 209, introduced by Galt, Kolstad,  
et al

### MOTIONS

Huennekens moved that Moore's motion regarding spreading the votes  
of HB 267 upon the journal be referred to the Committee on Rules. Motion  
carried.

Meloy moved that the Governor's Amendments to HB 178 and HB 301  
be placed on Second Reading. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred  
to committee:

SJR 43, introduced by Dover, Turnage, McOmber, Flynn, E. Smith,  
Himsl, Nelson, Lensink, Boylan, Dunkle, Kolstad, Aber, Olson,

Manley, McCallum, Bergren, Devine, Lowe, Manning, Mathers, Lockrem, Peterson, Galt, Hazelbaker, Murray, Murphy, Story, Etchart, Roberts, Graham. Referred to Committee on Natural Resources.

Meloy moved that the House adjourn until 11:30 a.m., April 6, 1977.

Motion carried.

House adjourned at 6:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## SEVENTY-NINTH LEGISLATIVE DAY

Helena, Montana  
April 6, 1977

House Chambers  
Capitol Building

House convened at 11:30 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Kimble, Palmer, Mular, Waldron, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/6/77

Correctly printed - HJR 95, HJR 96.

Were signed by the Speaker on adjournment, 4/5/77 - HB 338, HB 348, HB 370, HB 596, HB 620, HB 741, HB 765, HB 794, SB 194, SB 292, SB 385, SB 429.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 10:30 a.m., 4/6/77 - HB 338, HB 348, HB 370, HB 596, HB 620, HB 741, HB 765, HB 794.

### JOINT SELECT COMMITTEE ON EMPLOYEE COMPENSATION

(South, Chairman):

4/6/77

SB 168, third reading bill, be amended as follows:

1. Amend page 2, section 2, lines 12 and 13.

Following: "membership"

Strike: "and the approval of the director of the department of administration"

And as amended, be concurred in. Report adopted.

SB 363, be concurred in. Report adopted.

SB 379, be not concurred in.

SB 380, be concurred in. Report adopted.

Objection raised by Curtiss on 4/6/77 on adverse committee report on SB 324. Referred to Second Reading.

### MOTIONS

Marks moved that HB 828 be placed on Second Reading today. Motion failed.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

HJR 102, introduced by W. Baeth. Referred to Committee on Highways and Transportation.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 11 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmillar, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Mr. Speaker.

Total 73

Noes: Bertelsen, Brand, Davis, Ellerd, Ellison, Ernst, Feda, Hurwitz, Jensen, Keyser, Kropp, Kvaalen, McLane, Seifert, Smith, Turner, Vinger, Wyrick.

Total 18

Excused: Kimble, Mular, Palmer, Waldron.

Total 4

Absent or not voting: Bardanouve, Colburn, Dassinger, Stobie, Tower.

Total 5

Senate Bill No. 72 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Severson, Shelden, South, Staigmillar, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Mr. Speaker.

Total 68

Noes: Bertelsen, Brand, Burnett, Curtiss, Davis, Ellerd, Ellison, Feda, Hansen, Hurwitz, Jensen, Keyser, Kropp, Kvaalen, McLane, Meyer, Moore, Roth, Ryan, Seifert, Sivertsen, Smith, Stobie, Turner, Vinger, Wyrick.

Total 26

Excused: Kimble, Mular, Palmer, Waldron.

Total 4

Absent or not voting: Bardanouve, Tower.

Total 2

House Bill No. 461 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Lien, Lory, Lund, Lynch, Marks, Meloy, Menahan, Metcalf, Nathe, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, South, Teague, Tropila, Uhde, Underdal, Vincent, Williams, Mr. Speaker.

Total 71

Noes: Brand, Burnett, Day, Hansen, Hirsch, Hurwitz, Kropp, Kvaalen, Manuel, Meyer, Moore, Pistoria, Severson, Sivertsen, Smith, Staigmiller, Stobie, Tower, Turner, Vinger, Wood, Wyrick.

Total 22

Excused: Kimble, Mular, Palmer, Waldron.

Total 4

Absent or not voting: Bardanouve, Davis, McLane.

Total 3

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 100 be concurred in. (90-2)

That SB 102 be concurred in. (84-0)

That SB 112 be concurred in. (85-0)

That SB 120 be amended as follows:

1. Amend amendment no. 3, insertion paragraph, section 1, subsection (c).

Following: “;”

Strike: “or”

2. Amend amendment no. 3, insertion paragraph, section 1, subsection (d).

Following: “legislature”

Strike: “;”

Insert: “; or”

3. Amend amendment no. 3, insertion paragraph, section 1.

Following: subsection (d)

Insert: “(e) should 20 or more legislators object to any rule, the committee shall poll the members of the legislature under subsection (d).” (80-6)

And as amended, be concurred in. (77-10)

That SB 124 be concurred in. (82-8)

That SB 129 be concurred in. (83-6)

That SB 130 be amended as follows:

1. Amend page 2, section 1, line 7.

Following: “system”

Strike: “and other public educational institutions”  
(47-41)

And as amended, be concurred in. (79-9)

Palmer and Waldron present at this time.

That SB 135 be concurred in. (84-4)

That SB 137 be concurred in. (91-0)

That SB 162 be concurred in. (96-1)

Kimble present at this time.

That SB 170 be concurred in. (86-11)

That SB 192 be amended as follows:

1. Amend title, line 6.

Following: "officers"

Insert: "; to provide for minimum salaries for certain county officers;"

2. Amend amendment no. 4.

line 22	Strike: "\$4,494"	Insert: "\$4,085"
line 23	Strike: "\$4,729"	Insert: "\$4,299"
line 24	Strike: "\$4,833"	Insert: "\$4,394"
line 25	Strike: "\$4,938"	Insert: "\$4,489"

3. Amend amendment no. 5.

line 1	Strike: "\$5,058"	Insert: "\$4,598"
line 2	Strike: "\$5,394"	Insert: "\$4,904"
line 3	Strike: "\$5,487"	Insert: "\$4,988"
line 4	Strike: "\$5,617"	Insert: "\$5,106"
line 5	Strike: "\$5,708"	Insert: "\$5,189"
line 6	Strike: "\$5,826"	Insert: "\$5,296"
line 7	Strike: "\$5,943"	Insert: "\$5,403"
line 8	Strike: "\$6,048"	Insert: "\$5,498"
line 9	Strike: "\$6,165"	Insert: "\$5,605"
line 10	Strike: "\$6,270"	Insert: "\$5,700"
line 11	Strike: "\$6,387"	Insert: "\$5,806"
line 12	Strike: "\$6,544"	Insert: "\$5,949"
line 13	Strike: "\$6,779"	Insert: "\$6,163"
line 14	Strike: "\$7,014"	Insert: "\$6,376"
line 15	Strike: "\$7,275"	Insert: "\$6,614"
line 16	Strike: "\$7,432"	Insert: "\$6,756"
line 17	Strike: "\$7,676"	Insert: "\$6,970"
line 18	Strike: "\$7,902"	Insert: "\$7,184"
line 21	Strike: "\$4,598"	Insert: "\$4,180"
line 22	Strike: "\$4,729"	Insert: "\$4,299"
line 23	Strike: "\$4,833"	Insert: "\$4,394"
line 24	Strike: "\$4,938"	Insert: "\$4,489"
line 25	Strike: "\$5,069"	Insert: "\$4,608"

4. Amend amendment no. 6.

line 1	Strike: "\$5,394"	Insert: "\$4,904"
line 2	Strike: "\$5,487"	Insert: "\$4,988"
line 3	Strike: "\$5,617"	Insert: "\$5,106"
line 4	Strike: "\$5,708"	Insert: "\$5,189"
line 5	Strike: "\$5,826"	Insert: "\$5,296"
line 6	Strike: "\$5,942"	Insert: "\$5,402"
line 7	Strike: "\$6,047"	Insert: "\$5,497"
line 8	Strike: "\$6,165"	Insert: "\$5,605"
line 9	Strike: "\$6,270"	Insert: "\$5,700"
line 10	Strike: "\$6,387"	Insert: "\$5,806"
line 11	Strike: "\$6,544"	Insert: "\$5,949"



line 12	Strike: "\$6,779"	Insert: "\$6,163"
line 13	Strike: "\$7,014"	Insert: "\$6,376"
line 14	Strike: "\$7,275"	Insert: "\$6,614"
line 15	Strike: "\$7,432"	Insert: "\$6,756"
line 16	Strike: "\$7,667"	Insert: "\$6,970"
line 17	Strike: "\$7,902"	Insert: "\$7,184"
line 18	Strike: "\$8,138"	Insert: "\$7,398"
line 19	Strike: "\$8,372"	Insert: "\$7,611"
line 20	Strike: "\$8,607"	Insert: "\$7,825"
line 21	Strike: "\$8,843"	Insert: "\$8,039"
line 22	Strike: "\$9,078"	Insert: "\$8,253"
line 23	Strike: "\$9,313"	Insert: "\$8,466"
line 24	Strike: "\$9,548"	Insert: "\$8,680"
line 25	Strike: "\$9,783"	Insert: "\$8,894"

## 5. Amend amendment no. 7.

line 1	Strike: "\$10,019"	Insert: "\$9,108"
line 2	Strike: "\$10,195"	Insert: "\$9,322"
line 3	Strike: "\$10,398"	Insert: "\$9,536"
line 4	Strike: "\$10,606"	Insert: "\$9,750"
line 5	Strike: "\$10,817"	Insert: "\$9,964"
line 6	Strike: "\$11,035"	Insert: "\$10,178"

## 6. Amend amendment no. 13, insertion paragraph, line 7.

Following: "exceed"

Insert: "by more than 10%"

## 7. Amend amendment no. 13, insertion paragraph, line 8.

Following: "salary"

Strike: "established in"

Insert: "based upon" (59-31)

And be further amended:

## 8. Amend amendment no. 13, insertion paragraph, line 34.

Following: "allowed."

Insert: "This section does not apply to counties that have adopted a charter form of government." (75-7)

And as amended, be passed for the day. (53-31)

That SB 198 be placed below SB 237.

That SB 237 be concurred in. (81-0)

That SB 198 be amended as follows:

## 1. Amend page 4, section 5, line 23.

Following: "operations"

Strike: "; and"

Insert: "."

## 2. Amend page 12, section 15, line 6.

Following: "maintained"

Insert: "by the local government, at its expense," (76-0)

And as amended, be concurred in. (82-1)

That SB 240 be concurred in. (48-40)

That SB 268 be amended as follows:

## 1. Amend title, line 5.

Following: "uranium"

Insert: "from in place deposits"

2. Amend title, line 6.

Following: "sciences"

Insert: "with concurrence of the department of state lands"

3. Amend page 1, section 1, line 14.

Following: "may"

Strike: "propose, initiate construction of or"

4. Amend page 1, section 1, line 16.

Following: "uranium"

Insert: "from in place deposits"

5. Amend page 1, section 1, line 19.

Following: "sciences"

Insert: "with concurrence of the department of state lands"

6. Amend page 1, section 1, line 20.

Following: "uranium"

Insert: "from in place deposits"

7. Amend page 1, section 1, line 21.

Following: "may"

Strike: "propose, initiate construction of, or in any way"

8. Amend page 1, section 1, line 23.

Following: "uranium"

Insert: "from in place deposits" (57-27)

And as amended, be passed to the bottom of the board.

That SB 284 be not concurred in. (75-21)

That SB 306 be concurred in. (76-1)

That SB 307 be concurred in. (87-2)

That SB 311 be concurred in. (88-0)

That SB 333 be concurred in. (94-0)

That SB 345 be concurred in. (85-0)

That SB 359 be not concurred in. (80-12)

That SB 367 be concurred in. (82-0)

That SB 375 be concurred in. (77-0)

That SB 382 be passed for the day.

That SB 390 be not concurred in. (84-2)

That SB 391 be concurred in. (84-0)

That SB 392 be concurred in. (68-10)

That SB 399 be passed for the day.

That SB 401 be concurred in. (71-22)

That SB 413 and SB 419 be passed for the day.

That SB 425 be concurred in. (67-1)

That SB 442 be concurred in. (73-1)

That SJR 2 be concurred in. (76-2)

That SJR 25 be concurred in. (81-7)

That SJR 39 be concurred in. (83-5)

That SB 121 be passed for the day.

That SB 150 be concurred in. (86-0)

That SB 177 be concurred in. (84-5)

That SB 344 be amended as follows:

1. Amend page 1.

Strike: line 25

2. Amend page 2.

Strike: lines 1 and 2 (71-21)

And as amended, be concurred in. (47-46)

That SB 381 be passed for the day.

That SB 268 be passed for the day.

That the committee rise and report. (Lynch, Chairman)

Ramirez moved that SB 359 be segregated from the Committee of the Whole report. Lynch moved the previous question. Motion carried. Thereupon Ramirez' motion failed.

Bradley moved that SB 120 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

## REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker on adjournment, 4/6/77 - SB 228.

### JOINT SELECT COMMITTEE ON EMPLOYEE COMPENSATION

(South, Chairman):

4/6/77

HB 834, introduced bill, be amended as follows:

1. Amend title, page 1, line 6.

Following: "biennium"

Insert: "; amending section 11-1024, R.C.M. 1947"

2. Amend page 1, section 1, line 9.

Following: "act"

Insert: "except for the section amending 11-1024,"

3. Amend page 1, section 2, line 21.

Following: "law."

Strike: "The"

Insert: "Except as provided in (section 7)\* for collective bargaining units, the"

4. Amend page 2, section 2, line 3.

Following: "law."

Strike: "The"

Insert: "Except as provided in (section 7)\* for collective bargaining units, the"

5. Amend page 7, section 5, lines 6 through 13.

Following: line 5

Strike: section 5 in its entirety

Insert: "Section 5. Allocation between wages and health insurance.

(a) The dollar amounts shown in the respective matrices in (sec-

tions 3 and 4)\* represent the maximum amount allocated by the state for wages and health insurance benefits, and exclusive of longevity as defined in (section 6).<sup>\*</sup> Except as provided in paragraph (b) of this section, that amount specifically allocated for health insurance benefits shall be determined by 11-1024. An employee who elects not to be covered by a state health insurance plan will receive as wages the amount shown in the appropriate matrix less the state contribution for health insurance as determined by 11-1024.

(b) Employees may, through collective bargaining, determine the allocation of the amounts shown in the matrices of (sections 3 and 4)\* between wages and health insurance benefits, except that in no case may the health insurance allocation be less than the amounts provided in 11-1024."

6. Amend page 7, section 6, lines 14 through 22.

Following: line 13

Strike: section 6 in its entirety

Renumber: subsequent sections

7. Amend page 7, section 7, lines 23 through 2 on page 8.

Following: line 22

Strike: section 7 in its entirety

Renumber: subsequent sections

8. Amend page 8, section 9, lines 15 through 23.

Following: line 14

Strike: section 9 in its entirety

Insert: "Section 7. Exceptions for collective bargaining. (a) The procedure established in this act for increasing compensation for state employees is in lieu of and supersedes any other such plans or systems except those plans negotiated with the blue collar crafts and teachers in accordance with provisions of section 59, chapter 16, R.C.M. The total amount of compensation which may be used to implement any such plan may not exceed the total amount of funding that would be required to fund application of the matrices in (sections 3 and 4)\* to the employees covered by the negotiated plan.

(b) A member of a bargaining unit may receive negotiated increases in compensation only after the bargaining unit has ratified the negotiated plan or system for the biennium. Should such negotiations and subsequent ratification process not be completed by the beginning of the biennium, retroactivity to the beginning of the biennium shall be negotiable."

9. Amend page 9, section 10, line 1.

Following: "act"

Insert: ", collective bargaining statutes or negotiated contracts,"

10. Amend page 9, line 18.

Following: line 18

Insert: "Section 11. Section 11-1024, R.C.M. 1947, is amended to read as follows:

'11-1024. Group insurance for all departments, bureaus, boards, commissions and agencies of the state of Montana, county, city, and town officers and employees — authority — approval of employees — limit on contributions. (1) All departments, bureaus, boards, commissions and agencies of the state of Montana, and all counties, cities, and towns shall upon approval by two-thirds ( $\frac{2}{3}$ ) vote of the



officers and employees of each such department, bureau, board, commission, agency, county, city and town, enter into group hospitalization, medical, health including long-term disability, accident and/or group life insurance contracts or plans for the benefit of their officers, employees and their dependents, and the respective administrative and governing bodies shall pay for such insurance (ten dollars (\$10) per month) the amount specified in this section. (for each officer, employee, and legislator, and provided that for) For all employees as defined in subsection (2) of this section other than members of collective bargaining units and for members of the legislature, such payment for insurance (may be an amount equal to twelve (12) times the monthly rate, but may not exceed one hundred twenty dollars (\$120)) shall be \$240 per year for the fiscal year ending June 30, 1978 and \$360 per year for each fiscal year thereafter. The employer shall prorate this amount for employees who work less than 2,080 hours per year. (However, for) For employees of elementary and high school districts and of local government units, the employer's premium contributions may exceed but shall not be less than (the amount specified in this section) \$10 per month.

For state employee members of a collective bargaining unit, the employer shall pay the amount negotiated with the collective bargaining unit.

(2) In this section, as it applies to a person employed in the executive or legislative branches of state government, 'employee' means:

(a) a permanent full-time employee as defined in section 59-1007.1;

(b) a part-time employee as defined in section 59-1007.1 who is scheduled to work at least twenty (20) hours per week;

(c) a person employed in a seasonal position as defined in section 59-1007.1 who is employed on a regular basis at least eight (8) months of the fiscal year."

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do pass. Report adopted.

SB 233, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman):

4/6/77

HJR 98, do pass. Report adopted.

HJR 99, do pass. Report adopted.

SB 211, be not concurred in.

SB 309, be concurred in. Report adopted.

SB 350, be not concurred in.

SB 384, be concurred in. Report adopted.

SJR 29, be concurred in. Report adopted.

NATURAL RESOURCES (Shelden, Chairman):

4/6/77

HJR 97, introduced bill, be amended as follows:

1. Amend page 1, line 12.

Following: "to"

Strike: "800"

Insert: "1220"

2. Amend page 1, line 14.

Following: "connect"

Insert: "in Montana"

Following: "with"

Strike: "1600"

Insert: "an average of 1655"

3. Amend page 1, line 15.

Following: "made"

Insert: "each year"

Following: "in"

Strike: "1976"

Insert: "1973 to 1975"

4. Amend page 2, line 6.

Following: "withdraw"

Insert: "or modify"

And as amended, do pass. Report adopted.

SB 175, introduced bill, be amended as follows:

1. Amend page 14, section 9, lines 12 through 20.

Strike: section 9 in its entirety

Renumber: subsequent sections

And as amended, be not concurred in.

SB 195, third reading bill, be amended as follows:

1. Amend page 1, section 1, line 25 through line 13 on page 2.

Following: "(playgrounds.)"

Strike: line 25 on page 1 through line 13 on page 2 in their entirety

Insert: "Within 6 months following the effective date of this act, the governing body shall specify in its local subdivision regulations requirements for the dedication in perpetuity of land to the public for parks or playgrounds designed to serve the residents of a subdivision. Different requirements may be established for subdivisions of different densities, but all requirements must apply uniformly throughout the jurisdiction. Park requirements must be based on a ratio of park area to number of dwelling units of no less than 500 square feet per dwelling unit and no more than 3,000 square feet per dwelling unit. Local regulations may not require any dedication of land for parks when the net density of the proposed subdivision is less than one dwelling unit per 5 acres. Until local governing bodies amend their subdivision regulations to comply with this section, the minimum requirements above shall apply."

2. Amend page 3, section 1, subsection (2), line 4.

Following: "playgrounds"

Insert: "and up to one-third of the cash received in lieu of land dedicated under this section may be used for routine maintenance and upkeep of existing parks or playgrounds. Park fund moneys shall be expended according to a park plan or policy statement which must be adopted by the governing body before expenditure of the park funds."

(3) Local subdivision regulations may not require the dedication of parkland or the contribution of cash in lieu thereof for subdivisions which create no additional building sites or for resubdivisions which create two or less additional building sites"

Renumber: subsequent subsections

3. Amend page 3, section 1, lines 9 through 15.

Following: "(playgrounds.)"

Strike: lines 9 through 15 in their entirety

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 200, third reading bill, be amended as follows:

1. Amend page 6, section 5, line 23.

Following: "waste"

Insert: "or hazardous waste,"

2. Amend page 6, section 5, line 24.

Following: line 23

Strike: "or"

3. Amend page 6, section 5, lines 24 and 25.

Following: "solid waste"

Strike: "or hazardous waste, transport hazardous waste,"

Following: "system"

Insert: ", or transport hazardous waste"

4. Amend page 10, section 7, line 2.

Following: "applicant"

Insert: "and the local health officer"

5. Amend page 11, section 8, lines 12 and 13.

Following: "of a"

Strike: "solid waste management system"

Insert: "hazardous waste disposal site, the transport of hazardous waste,"

6. Amend page 12, section 8, line 1.

Following: "collect a"

Strike: "civil"

Insert: "criminal"

7. Amend page 14, section 10, lines 12 through 17.

Following: "(1)"

Strike: lines 12 through 17 in their entirety

Insert: "Any person violating this act or regulations prescribed by the department under this act, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than \$50, nor more than \$500. Each day upon which a violation of this act occurs shall be considered a separate offense."

And as amended, be concurred in. Report adopted.

SB 224, third reading bill, be amended as follows:

1. Amend page 4, section 2, line 2.

Following: ",

Insert: "Within a platted subdivision filed with the county clerk and recorder any division of lots which results in an increase in the number of lots, or which redesigns or rearranges six or more lots, must be reviewed and approved by the governing body and an amended plat must be filed with the county clerk and recorder. For five or fewer lots within a platted subdivision, relocation of common boundaries and the aggregation of lots are exempted from review as subdivisions. Exempted from local review outside of platted subdivisions are:"

2. Amend page 4, section 2, lines 5 and 6.

Following: "(b)"

Strike: lines 5 and 6 in their entirety

Insert: "Single divisions made for the purpose of transferring title to a member of the grantor's immediate family when the division creates no more than one remaining parcel of less than 20 acres. Only one conveyance of land to each member of the grantor's immediate family is eligible for this exemption within any 5-year period."

3. Amend page 4, section 2, lines 15 and 16.

Following: "(d)"

Strike: lines 15 and 16 in their entirety

Insert: "Single divisions made by a grantor for transfer of title as an occasional sale when the division creates no more than one remaining parcel of less than 20 acres. Where a parcel is created under this exemption or the exemption for transfer of title to a member of the grantor's immediate family, no further division of that parcel created under this exemption may occur for a period of 12 months."

4. Amend page 5, section 2, lines 19 and 20.

Following: "(b)"

Strike: lines 19 and 20 in their entirety

Insert: "which is created to provide security for construction mortgages, liens, or trust indentures."

And as amended, be concurred in. Report adopted.

SB 225, third reading bill, be amended as follows:

1. Amend title, line 6.

Following: "allow"

Strike: "offers and"

2. Amend title, line 7.

Following: "sale"

Strike: "or lease"

3. Amend page 2, section 1, line 10.

Following: "(3)"

Strike: "Every"

Insert: "Except as provided in subsection (4), every"

4. Amend page 2, section 1, lines 13 and 14.

Following: "(transfer)"

Strike: "or offered for sale or transfer"

5. Amend page 2, section 1, line 15.

Following: "(manner)"

Strike: "or offers"

6. Amend page 2, section 1, line 16.

Following: "sales"

Strike: " , "

Insert: "or"

7. Amend page 2, section 1, lines 17 and 18.

Following: "(transfer),"

Strike: "or offers of sale or transfer"

8. Amend page 2, section 1, lines 20 and 21.



Following: "(transfer)"

Strike: "or offering to transfer"

9. Amend page 2, line 22 through line 5, page 3.

Strike: subsection (4) in its entirety

Insert: "(4) After the preliminary plat of a subdivision has been approved or conditionally approved the subdivider may enter into contracts to sell lots in the proposed subdivision if all of the following conditions are met:

(a) that under the terms of the contracts the purchasers of lots in the proposed subdivision make any payments to an escrow agent which must be a bank or savings and loan association chartered to do business in the state of Montana.

(b) that under the terms of the contracts and the escrow agreement the payments made by purchasers of lots in the proposed subdivision may not be distributed by the escrow agent to the subdivider until the final plat of the subdivision is filed with the county clerk and recorder.

(c) that the contracts and the escrow agreement provide that if the final plat of the proposed subdivision is not filed with the county clerk and recorder within two years of the preliminary plat approval, the escrow agent shall immediately refund to each purchaser any payments he has made under the contract, and

(d) that the contracts contain the following language conspicuously set out therein: "The real property which is the subject hereof has not been finally platted, and until a final plat identifying the property has been filed with the county clerk and recorder, title to the property cannot be transferred in any manner."

10. Amend page 3, section 2, line 16.

Following: line 15

Strike: "or offer for sale, lease, or transfer"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 226, third reading bill, be amended as follows:

1. Amend page 5, section 1, lines 1 and 2.

Following: "specifications"

Strike: "(of the) for subdivisions"

Insert: "of the subdivision"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 227, third reading bill, be amended as follows:

1. Amend title, line 7.

Following: "plat"

Insert: "and the review of minor subdivisions"

2. Amend page 5, section 1, line 2.

Following: "year."

Insert: a new subsection which reads as follows:

"(6) Subdivisions containing 5 or fewer parcels where proper access to all lots is provided and in which no land is to be dedicated to the public for parks or playgrounds are to be reviewed as follows:

(a) The governing body must approve, conditionally approve, or disapprove the first such subdivision from a tract of record within 35 days of the submission of an application for approval thereof;

(b) The governing body shall state in writing the conditions which must be met if the subdivision is conditionally approved or, if it disapproves the subdivision, what local regulations would not be met by the subdivision;

(c) The requirements for holding a public hearing and preparing an environmental assessment shall not apply to the first such subdivision created from a tract of record;

(d) Subsequent subdivisions from a tract of record shall be reviewed under section 11-3863(5) and regulations adopted pursuant to that section."

And as amended, be concurred in. Report adopted.

SB 302, third reading bill, be amended as follows:

1. Amend title, page 1, line 6.

Following: "environmental policy act"

Strike: "to specify that the act does not expand the substantive decision-making authority of state agencies"

2. Amend page 2, section 1, subsection (3)(i), line 20.

Following: "action"

Strike: "(, as it relates to the authority of an agency to make a final decision under the express provisions of the statute administered by the agency"

3. Amend page 3, section 1, subsection (3)(iii), line 1.

Following: "action"

Strike: "(, that the agency has been given the express authority to consider under the law administered by the agency"

4. Amend page 3, section 1, subsection (3)(vi), line 10.

Following: "costs"

Insert: ",

Following: "benefits"

Insert: ", and effect on employment"

5. Amend page 3, section 1, subsection (3)(ix), line 23.

Following: line 23

Insert: "A consultive agency or agency with special expertise participating in an environmental impact statement may not make findings or recommendations beyond the express provisions of the statutes administered by the agency."

6. Amend page 4, section 1, subsection (5), lines 2 through 6.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

7. Amend page 4, section 1, line 25.

Following: line 25

Insert: "(c) On any action for which an environmental impact statement has been prepared, the lead agency shall make a final decision based only on the specific statutes administered by the agency, the findings and recommendations of the consulted agencies, and the policies and goals of the Montana Environmental Policy Act. If the lead agency's final decision on the proposal is in

conflict with the recommendations of the consulted agencies, the burden shall be on the lead agency to justify its decision based on some other essential consideration of state policy."

Renumber: subsequent subsections

8. Amend page 5, section 1, subsection (c), line 4.

Following: "does"

Strike: ", in the opinion of the agency,"

9. Amend page 5, section 1, subsection (c), line 8.

Following: "Act."

Strike: "In"

Insert: "Prior to"

10. Amend page 5, section 1, subsection (d), line 20.

Following: "all"

Insert: "environmentally significant"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 310, third reading bill, be amended as follows:

1. Amend page 9, section 3, line 11.

Following: "(((\$15)))"

Strike: "\$25"

Insert: "\$40"

2. Amend page 12, section 3, line 9.

Following: "than"

Strike: "\$10"

Insert: "\$20"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

BUSINESS AND INDUSTRY (Vincent, Chairman):

4/6/77

SB 107, be concurred in. Report adopted.

SB 125, third reading bill, be amended as follows:

1. Amend title, line 13.

Following: "sections (66-1934)"

Insert: "41-2005,"

2. Amend page 7, section 4, line 24.

Following: "Sections (66-1934)"

Insert: "41-2005,"

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 245, third reading bill, be amended as follows:

1. Amend page 3, section 1, lines 10 and 11.

Following: "approve"

Strike: "an increase"

Insert: "increases"

And as amended, be concurred in. Report adopted.

SB 305, third reading bill, be amended as follows:

1. Amend page 2, section 1, subsection (1), line 11.

Following: "Montana."

Insert: "No nonresident firm or corporation may be licensed under this section for the writing of property or casualty insurance."

And as amended, be not concurred in.

SB 329, third reading bill, be amended as follows:

1. Amend title, line 12.

Following: "architecture, and"

Strike: "delete"

Insert: "revise"

And as amended, be concurred in. Report adopted.

SB 362, be not concurred in.

HB 446, do pass. Report adopted.

Objection raised by Meloy on 4/6/77 on adverse committee report on SB 175. Referred to Second Reading.

### MESSAGES FROM THE GOVERNOR

April 6, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill No. 80.

Sincerely,

TED SCHWINDEN  
Acting Governor

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolution concurred in by the Senate  
and returned to the House:

4/6/77

House Bill No. 283, introduced by J. Gunderson, Dussault (by request)

House Bill No. 284, introduced by J. Gunderson, Dussault (by request)

House Joint Resolution No. 93, introduced by Kimble, Meloy, Halvorson

Bills and Resolutions concurred in as amended  
by the Senate, and returned to the House  
for concurrence in Senate Amendments:

4/6/77

House Bill No. 70, introduced by Fabrega, Moore, O'Keefe, et al

House Bill No. 159, introduced by Waldron, Metcalf, Courtney

House Bill No. 245, introduced by Lynch (by request)

House Bill No. 286, introduced by Palmer, Hansen, et al

House Bill No. 457, introduced by Vincent (by request)

House Joint Resolution No. 59, introduced by Scully

House Joint Resolution No. 65, introduced by Brand, Cooney



**MOTIONS**

Marks moved that the journal be changed to reflect Roth paired in favor of SB 97 yesterday. Motion carried.

Moore moved that HB 223 be removed from the Committee on Rules and placed on Second Reading tomorrow. Motion carried.

O'Connell moved that SB 192 be rereferred from Second Reading to the Committee on Rules. Motion carried.

Meloy moved that the rules be suspended and that all bills that pass Second Reading today be placed on Third Reading tomorrow and that all bills that pass Second Reading tomorrow be placed on Third Reading tomorrow. Motion carried.

Meloy moved that the House adjourn until 12:00 noon, April 7, 1977.

Motion carried.

House adjourned at 6:10 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## EIGHTIETH LEGISLATIVE DAY

Helena, Montana  
April 7, 1977

House Chambers  
Capitol Building

House convened at 12:00 noon, Mr. Speaker in the Chair. Invocation by Reverend John Robertson, Diocese of Helena. Pledge of Allegiance to the Flag.

Roll call. All members present except Hurwitz, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Seventy-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/7/77

Correctly printed - HB 446, HJR 98, HJR 99.

Correctly enrolled - HJR 66, HJR 70, HJR 85.

Will be signed by the Speaker on adjournment, 4/7/77 - HJR 66, HJR 70, HJR 85.

Was signed by the Speaker on adjournment, 4/6/77 - SB 228.

Examined by Sponsors and found to be correct - HJR 66, HJR 70, HJR 85.

APPROPRIATIONS (Bardanoue, Chairman): 4/7/77

SB 80, be concurred in. Report adopted.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on SB 145 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanoue, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tropila, Turner, Underdal, Vinger, Williams, Mr. Speaker.

Total 72

Noes: Barrett, Curtiss, Davis, Ellerd, Fabrega, Hansen, Keyser, Lund, Marks, Meyer, Moore, Nathe, Stobie, Tower, Uhde, Vincent, Wood, Wyrick.

Total 18

Excused: Hurwitz.

Total 1

Absent or not voting: Burnett, Conroy, Cox, Holmes, Kessler, Metcalf, Palmer, Ryan, Waldron.

Total 9

On motion by South, and in accordance with the 24-hour rule, the adverse committee report on SB 379 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Holmes, Metcalf, Mular, Teague, Tropila, Waldron.

Total 6

Excused: Hurwitz.

Total 1

Absent or not voting: Burnett, Conroy, Cox, Davis, Kessler, O'Connell, Palmer, Ryan, Staigmiller.

Total 9

### MESSAGES FROM THE OTHER HOUSE

Bills on Committee Report, not concurred in  
by the Senate, reports adopted, and  
returned to the House:

4/6/77

House Bill No. 86, introduced by Kimble, Uhde, et al

House Bill No. 444, introduced by Estenson (by request)

House Bill No. 667, introduced by Fagg, Robbins, et al

Resolution not concurred in by the Senate  
and returned to the House:

4/6/77

House Joint Resolution No. 34, introduced by Driscoll, Mular, Meloy  
(by request)

4/6/77

House Bill No. 567, introduced by Huennekens, Halvorson, Waldron,  
requiring adoption by an affirmative roll call vote of two-thirds of  
all the members of the legislature, was passed by the Senate as  
amended, and returned to the House for concurrence in Senate  
Amendments, with the following vote:

SENATE

HOUSE OF REPRESENTATIVES

YEAS - 45

YEAS - 58

NAYS - 4

NAYS - 39

### MOTIONS

Ramirez moved that the House recall SB 359 from the Senate for further consideration. Motion carried.

Ellerd moved that HB 828 be placed on Second Reading today. Motion failed.

Scully moved that SB 310 be placed before SB 224 on Second Reading today. Motion carried.



**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 100 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Lynch, Seifert.

Total 3

Senate Bill No. 102 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Feda, Lynch, Seifert.

Total 4

Senate Bill No. 112 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly,

Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Feda, Lynch.

Total 3

Senate Bill No. 124 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmillier, Teague, Tower, Tropila, Turner, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Aageson, Bengtson, Cox, Curtiss, Davis, Ellerd, Ellison, McLane, Nathe, Roth, Sivertsen, Smith, Stobie, Uhde, Vinger.

Total 15

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Feda, Lynch, Marks.

Total 4

Senate Bill No. 129 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Brand, Ellison, Feda, Kenny, McLane, Roth, Vinger.

Total 7

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg.

Total 1

Senate Bill No. 130 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Brand, Estenson, Huennekens, Uhde.

Total 4

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg.

Total 1

Senate Bill No. 135 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Burnett, Curtiss, Lory, Severson.

Total 4

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Lynch.

Total 2

Senate Bill No. 137 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch,



Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Seifert.

Total 1

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Lynch.

Total 2

Senate Bill No. 150 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Frates.

Total 1

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Lynch.

Total 2

Senate Bill No. 162 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Hirsch, Ryan.

Total 2



Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Hand.

Total 2

Senate Bill No. 170 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedá, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, South, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Mr. Speaker.

Total 83

Noes: W. Baeth, Bardanouve, Brand, Colburn, Frates, E. Gunderson, Palmer, Ryan, Sivertsen, Smith, Staigmiller, Teague, Vinger, Waldron, Wyrick.

Total 15

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg.

Total 1

Senate Bill No. 198 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Cox, Ellison, Smith, Stobie, Vinger.

Total 5

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg.

Total 1

Senate Bill No. 237 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedá, Gerke, Gilligan, Gould, E. Gunderson,

J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Brand, Day, Frates, Kenny.

Total 4

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Lynch.

Total 2

Senate Bill No. 240 was not concurred in by the following vote:

Ayes: R. Baeth, Bardanouve, Barrett, Bertelsen, Brand, Cooney, Cox, Curtiss, Dassinger, Ellis, Eudaily, Fabrega, Feda, Hansen, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Keyser, Kvaalen, Lien, Lory, Lund, McLane, Menahan, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Scully, Severson, Stobie, Turner, Vinger, Waldron, Mr. Speaker.

Total 40

Noes: Aageson, W. Baeth, Bengtson, Bradley, Burnett, Colburn, Conroy, Courtney, Davis, Day, Dussault, Ellerd, Ernst, Estenson, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Holmes, Kennerly, Kenny, Kessler, Kimble, Kropp, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Connell, Robbins, Roth, Ryan, Seifert, Shelden, Sivertsen, South, Staigmillier, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Williams, Wood, Wyrick.

Total 54

Excused: Hurwitz.

Total 1

Absent or not voting: Ellison, Fagg, Lynch, Mular, Smith.

Total 5

Senate Bill No. 306 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Nathe.

Total 1

Excused: Hurwitz.

Total 1

Absent or not voting: Dassinger, Fagg.

Total 2

Senate Bill No. 307 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fedra, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Day, Fabrega, E. Gunderson, Kennerly, Keyser, Meyer, Moore.

Total 7

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Lynch, Mular.

Total 3

Senate Bill No. 311 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Lynch.

Total 2

Senate Bill No. 333 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington,



Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Dussault, Palmer, Ramirez, Vincent.

Total 4

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Lynch.

Total 2

Senate Bill No. 344 was not concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Burnett, Colburn, Cooney, Courtney, Day, Dussault, Ellis, Estenson, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Harper, Harrington, Holmes, Huennekens, Kennerly, Kessler, Kimble, Lynch, Manuel, Meloy, Metcalf, Mular, O'Connell, Palmer, Quilici, Ryan, Scully, Shelden, Smith, South, Teague, Tropila, Uhde, Vincent, Williams, Mr. Speaker.

Total 46

Noes: Aageson, Barrett, Bertelsen, Conroy, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Hand, Hansen, Hirsch, Jensen, Johnston, Kanduch, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Marks, Menahan, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Roth, Seifert, Severson, Sivertsen, Staigmiller, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 50

Excused: Hurwitz.

Total 1

Absent or not voting: Fagg, Halvorson, Waldron.

Total 3

Senate Bill No. 345 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Day, Ellison, Frates, Stobie.

Total 4

Excused: Hurwitz.



Total 1

Absent or not voting: Bertelsen, Curtiss, Fagg, Lynch, Mular, O'Keefe.

Total 6

Senate Bill No. 367 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Brand, Day, Frates, Mular, Teague.

Total 5

Excused: Hurwitz.

Total 1

Absent or not voting: Lynch, O'Keefe.

Total 2

Senate Bill No. 375 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Brand, Mular.

Total 2

Excused: Hurwitz.

Total 1

Absent or not voting: Lynch, O'Keefe, Turner.

Total 3

Senate Bill No. 391 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kennerly,

Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Brand.

Total 1

Excused: Hurwitz.

Total 1

Absent or not voting: Kanduch, Lynch, O'Keefe.

Total 3

Senate Bill No. 392 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Marks, Meloy, Menahan, Metcalf, Moore, O'Connell, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Ryan, Shelden, South, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Mr. Speaker.

Total 65

Noes: Aageson, Barrett, Burnett, Colburn, Cox, Davis, Ellerd, Ernst, Fabrega, E. Gunderson, Jensen, Kennerly, Kenny, Keyser, Lund, McLane, Manuel, Meyer, Mular, Nathe, Palmer, Quilici, Roth, Scully, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Vinger, Waldron, Wyrick.

Total 33

Excused: Hurwitz.

Total 1

Absent or not voting: Lynch.

Total 1

Senate Bill No. 401 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gould, E. Gunderson, J. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: W. Baeth, Brand, Colburn, Cooney, Courtney, Day, Frates, Gilligan, Halvorson, Hand, Huennekens, Kanduch, Kimble, Lynch, Mular, O'Connell, Palmer, Pistoria, Quilici, Ryan, Waldron.

Total 21

Excused: Hurwitz.

Total 1

Absent or not voting: None.

Total 0

Senate Bill No. 425 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Keyser.

Total 1

Excused: Hurwitz.

Total 1

Absent or not voting: Lynch, Stobie.

Total 2

Senate Bill No. 442 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: Fagg, Jensen, Uhde.

Total 3

Excused: Hurwitz.

Total 1

Absent or not voting: None.

Total 0

Senate Joint Resolution No. 2 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Lien, Lory, Lund,



Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 81

Noes: Burnett, Cox, Davis, Ellison, Fedra, Frates, Halvorson, Jensen, Kenny, Keyser, Kvaalen, McLane, Moore, Smith, Stobie, Vinger, Wood, Wyrick.

Total 18

Excused: Hurwitz.

Total 1

Absent or not voting: None.

Total 0

Senate Joint Resolution No. 25 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Brand, Estenson, Holmes, Jensen, Kessler, Palmer, Smith.

Total 7

Excused: Hurwitz.

Total 1

Absent or not voting: Bardanouve.

Total 1

Senate Joint Resolution No. 39 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 86

Noes: Brand, Colburn, Cox, Gould, Jensen, Palmer, Pistoria, Smith, Stobie, Tower, Wyrick.

Total 11



Excused: Hurwitz.

Total 1

Absent or not voting: Gerke, Lynch.

Total 2

Senate Bill No. 177 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Bardanouve, Brand, Colburn, Ellerd, Jensen, Kennerly, Kessler, Palmer, Roth, Smith, Stobie, Tower, Turner, Vinger.

Total 14

Excused: Hurwitz.

Total 1

Absent or not voting: Davis, Lynch.

Total 2

Senate Bill No. 65 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmiller, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Bardanouve, Colburn, Ellison, Fedá, Kvaalen, Nathe, Palmer, Smith, Stobie, Teague, Vinger, Waldron.

Total 12

Excused: Hurwitz.

Total 1

Absent or not voting: Lynch.

Total 1

Senate Bill No. 71 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bradley, Brand, Cooney, Cox, Dassinger, Day, Dussault, Ellis, Fagg, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Menahan, Mular, Nathe, O'Keefe, Palmer,

Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, South, Teague, Tropila, Waldron, Williams, Wood, Mr. Speaker.

Total 54

Noes: Aageson, Bardanouve, Barrett, Bertelsen, Burnett, Colburn, Conroy, Courtney, Curtiss, Davis, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, E. Gunderson, J. Gunderson, Holmes, Jensen, Kenny, Kropp, Marks, Metcalf, Meyer, Moore, O'Connell, Porter, Roth, Seifert, Severson, Sivertsen, Smith, Staigmiller, Stobie, Tower, Turner, Uhde, Underdal, Vincent, Vinger, Wyrick.

Total 43

Excused: Hurwitz.

Total 1

Absent or not voting: Lynch, Meloy.

Total 2

Hand moved that his vote be changed from yes to no on SB 344. Motion carried.

Metcalf moved that his vote be changed from no to yes on SB 344. Motion carried.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 121 be amended as follows:

1. Amend title, line 8.

Following: "(county)"

Insert: "of property situated exclusively within a county"

Following: "(government)"

Strike: "a joint state-county taxation commission; and providing an effective date"

Insert: "the county government"

2. Amend the bill, pages 1 through 2.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Section 3, Article VIII, of the Montana constitution is amended to read as follows:

'Section 3. Property tax administration. (The state) Each county shall appraise, assess, and equalize the valuation of all property situated exclusively within the county which is to be taxed in the manner provided by law.'

Section 2. Section 4, Article VIII, of the Montana constitution is amended to read as follows:

'Section 4. Equal valuation. All taxing jurisdictions shall use the assessed valuation of property established by (the state) a joint state-county taxation commission composed of representatives of

state government, county governing bodies, and county assessing officers, as provided by law, which commission shall establish guidelines for equal appraisal and assessment and promulgate rules for equal appraisal of all property within the state of Montana.'

Section 3. Submission to electorate. This amendment shall be submitted to the electors of the state of Montana at the general election to be held November 7, 1978, by printing on the ballot the title and the following:

☐ FOR

transferring a portion of tax administration from the state to the counties.

☐ AGAINST

transferring a portion of tax administration from the state to the counties." (51-40)

(Material in parentheses denotes cancelled type.)

And as amended, be not concurred in. (59-33)

That SB 268 be amended as follows:

1. Amend amendment numbers 2, 3, 5, and 7.

Strike: amendments numbers 2, 3, 5, and 7 in their entirety

2. Further amend SB 268, third reading copy, page 1, section 1, line 14.

Following: "may"

Strike: "propose,"

3. Amend page 1, section 1, line 21.

Following: "may"

Strike: "propose," (47-35)

And as amended, be placed below SB 125.

That SB 381 be amended as follows:

1. Amend page 2, section 1, line 3.

Following: "deposit"

Insert: ", and shall not be available for operations on public lands" (62-21)

And as amended, be not concurred in. (51-44)

That SB 382 be concurred in. (75-10)

That SB 399 be amended as follows:

1. Amend page 2, section 1, subsection (2), line 10.

Following: "diagnosis."

Insert: "Provided, that the x-ray exposure of minors and women of childbearing age shall be prohibited, except as authorized by the department of health and environmental sciences." (54-40)

And as amended, be concurred in. (53-45)

That SB 413 be amended as follows:

1. Amend title, line 6.

Following: "sections"

Insert: "38-1232,"

2. Amend page 45, section 16, line 24.



Following: "chapter"

Insert: ", except this prohibition does not affect any employee of a state college or university"

3. Amend page 49, line 19.

Following: line 18

Insert: "Section 18. Section 38-1232, R.C.M. 1947, is amended to read as follows:

'38-1232. Mental disabilities board of visitors — duties. (1) The governor shall appoint a mental disabilities board of visitors. The board shall consist of five ((5)) persons representing but not limited to consumers, doctors of medicine, and the behavioral sciences, at least three ((3)) of whom (shall) may not be professional persons and at least one ((1)) of whom shall be a representative of an organization concerned with the care and welfare of the developmentally disabled. No one may be a member of the board who is (an) a full-time agent or employee of (the) any department (of institutions,) or agency of the state or (of any) residential facility affected by this act, except this prohibition does not affect any employee of a state college or university. If a board of similar title and structure is created in any act concerning the treatment of the mentally ill, then only one ((1)) board shall be created to perform the functions (set out in) of both (acts) and the board so created shall include at least one ((1)) representative of an organization concerned with the care and welfare of the mentally ill and one representative of an organization concerned with the care and welfare of the mentally retarded or developmentally disabled.

(2) The mental disabilities board of visitors shall be an independent board of inquiry and review to assure that the treatment of all persons admitted to a residential facility is humane and decent and meets the requirements set forth in this act.

The board shall review all plans for experimental research or hazardous treatment procedures involving persons admitted to any residential facility to assure that the research project is humane and not unduly hazardous and that it complies with the principles of the statement on the use of human subjects for research of the American association on mental deficiency and with the principles for research involving human subjects required by the United States department of health, education and welfare. No experimental research project involving persons admitted to any residential facility affected by this act (shall) may be commenced unless it is approved by the mental disabilities board of visitors. The board shall investigate all cases of alleged mistreatment of a resident.

(3) The board shall, at least annually, inspect every residential facility which is providing a course of residential habilitation and treatment to any person pursuant to this act. The board shall inspect the physical plant, including residential, recreational, dining, and sanitary facilities. It shall visit all wards and treatment or habilitation areas. The board shall inquire concerning all habilitation programs being implemented by the institution.

(4) The board shall inspect the file of each person admitted to a residential facility pursuant to this act to insure that a habilitation plan exists and is being implemented. The board shall inquire concerning all use of restraints, isolation or other extraordinary measures.



(5) The board may assist any patient at a residential facility in resolving any grievance he may have concerning his admission or his course of treatment and habilitation in the facility.

(6) If the board believes that any facility is failing to comply with the provisions of this act in regard to its physical facilities or its treatment of any resident, it shall report its findings at once to the professional person in charge of the facility and the director of the department of institutions. If appropriate after waiting a reasonable time for a response from such professional person, the board may notify the parents or guardian of any patient involved, the next of kin, if known, the responsible person appointed by the court for any patient involved, (the professional person in charge of the facility, the director of the department of institutions) and the district court which has jurisdiction over the facility.

(7) The mental disabilities board of visitors shall report annually to the governor and shall report to each session of the (Montana) legislature concerning the status of the residential facilities and habilitation programs which it has inspected.

(8) The mental disabilities board of visitors shall be attached to the governor for administrative purposes. It may employ staff for the purpose of carrying out its duties as set out in this act."

Renumber: subsequent section

4. Amend Standing Committee Report, House Judiciary Committee, dated March 25, 1977.

Strike: amendments nos. 11, 12, and 16

5. Amend page 16, section 5, subsection (4), line 15.

Following: "."

Strike: "If the professional person"

Insert: "The following action shall be taken based on the professional person's findings:

(a) If he"

6. Amend page 16, section 5, subsection (4), line 21.

Following: "hours."

Strike: "If the professional person"

Insert: "(b) If he"

7. Amend page 27, section 6, subsection (3), line 1.

Following: "patient."

Insert: "If a hearing is not requested, the court shall enter an order of commitment for a period not to exceed 6 months."

8. Amend page 48, section 16, subsection (8), lines 17 and 18.

Following: "(facility,)"

Strike: "the director of the department of institutions," (65-4)

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. (81-7)

That Senate Bill 419 be amended as follows:

1. Amend title, line 6.

Following: "amending"

Strike: "section"

Insert: "sections"

Following: "91A-5-101"

Insert: "and 91A-5-303"

2. Amend page 2, section 1, line 8.

Following: "for"

Strike: "when"

Insert: "whom"

3. Amend page 2.

Following: line 10

Insert: "Section 2. Section 91A-5-303, R.C.M. 1947, is amended to read as follows:

'91A-5-303. Procedure for court appointment of a guardian of an incapacitated person. (1) The incapacitated person or any person interested in his welfare, including the county attorney, may petition for a finding of incapacity and appointment of a guardian.

(2) Upon the filing of a petition, the court shall set a date for hearing on the issues of incapacity and unless the allegedly incapacitated person has counsel of his own choice, it shall appoint an appropriate official or attorney to represent him in the proceeding, who shall have the powers and duties of a guardian ad litem. The person alleged to be incapacitated shall be examined by a physician appointed by the court who shall submit his report in writing to the court and be interviewed by a visitor sent by the court. The visitor also shall interview the person seeking appointment as guardian, and visit the present place of abode of the person alleged to be incapacitated and the place it is proposed that he will be detained or reside if the requested appointment is made and submit his report in writing to the court. The person alleged to be incapacitated is entitled to be present at the hearing in person, and to see or hear all evidence bearing upon his condition. He is entitled to be present by counsel, to present evidence, to cross-examine witnesses, including the court-appointed physician and the visitor, and to trial by jury. The issue may be determined at a closed hearing without a jury if the person alleged to be incapacitated or his counsel so requests.'

Section 3. There is a new R.C.M. section numbered 91A-5-314 that reads as follows:

91A-5-314. If a guardian believes his ward should receive medical treatment for a mental disorder and the ward refuses, the court may, upon petition by the guardian, grant an order for evaluation or treatment, provided that no such order shall forcibly detain the ward against his will for more than 72 hours. The ward is entitled to an appointment of counsel and a hearing along with all the other rights guaranteed seriously mentally ill persons under 38-1304." (52-23)

And as amended, be passed to the bottom of the board.

That SB 107 be passed for the day.

That SB 120 be concurred in. (75-12)

That SB 125 be concurred in. (61-32)

That SB 268 be concurred in. (52-36)

That SB 168 be amended as follows:

1. Amend page 2, section 2, line 6.

Following: "employee group"

Insert: “, including those established through collective bargaining,” (57-41)

And as amended, be concurred in. (85-9)

That SB 175 be concurred in. (75-22)

That SB 195 be concurred in. (84-2)

That SB 200 be concurred in. (66-21)

That SB 310 be amended as follows:

1. Amend page 11, section 3, line 25.

Following: “department”

Strike: “may”

Insert: “shall”

2. Amend page 12, section 3, line 3.

Following: “and”

Strike: “the department is satisfied that”

3. Amend page 12, section 3, line 4.

Following: “government”

Strike: “can”

Insert: “has qualified personnel to” (78-9)

And be further amended:

4. Amend amendments nos. 1 and 2 (House Committee on Natural Resources Amendments)

Strike: amendments nos. 1 and 2 in their entirety

5. Further amend SB 310, third reading bill, page 4, lines 10 through 18.

Following: line 9

Strike: subsections (7) and (8) in their entirety

Renumber: subsequent subsections (87-0)

And as amended, be concurred in. (84-5)

That SB 224 be concurred in. (86-1)

That SB 225 be concurred in. (85-4)

That SB 226 be amended as follows:

1. Amend page 2, section 1, line 25, and line 1 on page 3.

Following: “is”

Strike: “exempt from the review of the department by subsection (2) of this section,”

Insert: “reviewed under the master plan provisions of 69-5003,”

2. Amend page 3, section 1, line 3.

Following: “act”

Insert: “distribute the lot fees as determined by subsection (11) and shall”

3. Amend page 4, section 1, line 1.

Following: “the”

Strike: “exemptions”

Insert: “exclusions”

4. Amend page 7, section 1, line 16.

Following: line 15

Insert: “The department shall adopt rules to determine the distri-

bution of lot fees between the local governing body and the department as provided in 69-5005.” (81-1)

And as amended, be concurred in. (89-2)

That SB 227 be concurred in. (90-0)

That SB 233 be passed for the day.

That SB 245 be concurred in. (90-1)

That SB 302 be concurred in. (90-0)

That SB 305 be passed to the bottom of the board.

That SB 309 be passed for the day.

That SB 324 be passed for the day.

That SB 329 be concurred in. (50-45)

That SB 363 be passed for the day.

That SB 380 be passed for the day.

That SB 384 be passed for the day.

That SJR 29 be passed for the day.

Meloy replaced Ramirez in the chair.

That HB 223 do pass. (55-43)

That HJR 95 do pass. (87-5)

That HJR 96 do pass. (90-1)

That SB 80 be concurred in. (53-46)

That SB 419 be concurred in. (66-27)

That the committee rise and report and beg leave to sit again. (Meloy, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Brand Chairman):

4/7/77

SJR 45, be concurred in. Report adopted.

TAXATION (Huennekens, Chairman):

4/7/77

SB 31, be amended in the third reading copy as follows:

1. Amend title, line 7.

Following: “1947”

Insert: “; and providing an effective date”

2. Amend page 1, section 1, line 13.

Following: line 13

Insert: “Section 1. Section 91-4405, R.C.M. 1947, is amended to read as follows:

‘91-4405. Joint estates, government bonds, tenants by the entirety, joint bank accounts, and similarly held property. Whenever any property, however acquired, real or personal, tangible or intangible, including government bonds of the United States, is inscribed in co-ownership form, (or) held by two or more persons in joint tenancy (by two or more persons,) or as tenants by the entirety, or is deposited in any bank or other depository in the joint names of two or



more persons and payable to the survivor or survivors of them upon the death of one of them, the right of the survivor or survivors to the immediate possession or ownership is a taxable transfer. The tax is upon the transfer of (decendent's interest, one half or other proper fraction, as evidenced by the written instrument creating the same, as though the property to which the transfer relates belonged to the joint tenants, tenants by the entirety, joint depositors, holders in co-ownership form, or persons, as tenants in common, and had been, for inheritance tax purposes, bequeathed or devised to the survivor or survivors by will, except such part thereof as may be shown to have originally belonged to the survivor and never to have belonged to the decedent) the full value of the property, except that portion owned by the survivor. (This section shall not be construed to repeal or modify the provisions of section 91-4402.)"

Renumber: subsequent sections

3. Amend page 11, section 4, line 8.

Following: "When"

Strike: "a bond"

Insert: "permission"

4. Amend page 11, section 4, line 9.

Following: line 8

Strike: "is given"

Insert: "has been granted to defer payment of tax"

5. Amend page 14, section 6, line 5.

Following: line 5

Insert: "Section 6. Effective date. This act is effective on passage and approval."

(Material in parentheses denoted cancelled type.)

And as amended, be concurred in. Report adopted.

SB 252, third reading bill, be amended as follows:

1. Amend title, line 6.

Following: "1947"

Insert: ", and section 3, Chapter 98, Laws of 1977"

2. Amend page 4, line 16.

Following: line 16

Insert: "Section 2. Section 3, Chapter 98, Laws of 1977, is amended to read as follows:

'Section 3. Due date of reports and returns — extensions. Each report or return described in (84-801,) 84-901, 84-1320, 84-5402, 84-6202, or 84-6403 shall be delivered to the department on or before March 31 each year, and each report described in 84-801 shall be delivered to the department before April 15 each year. The department may for good cause extend the time for filing a return or report for not more than 30 days."

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

SB 251, third reading bill, be amended as follows:

1. Amend title, page 1, line 8.

Following: "taxation;"

Insert: "assessing the land so irrigated on a productivity basis;"

Following: "amending"

Strike: "section"

Insert: "sections"

Following: "84-202,"

Insert: "and 84-429.7,"

2. Amend page 4, section 1(8), line 24.

Following: "connectors,"

Strike: "pumps,"

3. Amend page 5, section 1(8), line 1.

Following: "system,"

Insert: "except pumps,"

4. Amend page 5, line 4.

Following: line 4

Insert: "Section 2. Section 84-429.7, R.C.M. 1947, is amended to read as follows:

'84-429.7. Classification and appraisal - duties of the department of revenue. (1) It is hereby made the duty of the state department of revenue to accomplish the following:

(a) The classification of all taxable lands.

(b) The appraisal of all taxable city and town lots.

(c) The appraisal of all taxable rural and urban improvements.

A record thereof must be kept upon such maps, plats and forms, and entered in such books of record as may be prescribed by the state department of revenue. Such maps, plats, forms and books of record shall be official records of the state. A certified copy of all such records as may be desired shall be furnished to the state department of revenue.

It shall be the duty of the state department of revenue to maintain current, the classification of all taxable lands and appraisal of city and town lots, and rural and urban improvements, as provided for herein.

(2) The department shall continue to assess, without consideration of any increase in productivity resulting from the introduction of (a sprinkler type) an irrigation system other than a sprinkler type irrigation system, at the current rate all nonirrigated farm land and nonirrigated continuously cropped farm land for a period of (three (3)) years after introduction to the land of a sprinkler type irrigation system.

The records of this assessment shall be maintained in the office of the agent of the department in each county of this state and a copy sent to the department."

(Material in parentheses denotes cancelled type.)

And as amended, be not concurred in.

✓ Objection raised by Bertelsen on April 7, 1977, on adverse committee report on SB 251. Referred to Second Reading.

### MESSAGES FROM THE OTHER HOUSE

4/7/77

Senate accedes to the request of the House and returns Senate Bill No. 359 for further consideration.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Meloy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follow:

That SB 359 be not concurred in. (70-26)

That SB 31 be concurred in. 87-8)

That SB 252 be concurred in. (88-0)

That SJR 45 be passed for the day.

That SB 251 be not concurred in. (49-47) ✓

That the committee rise and report. (Meloy, Chairman) Report adopted.

## THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 121 was not concurred in by the following vote:

Ayes: Aageson, Barrett, Bengtson, Bradley, Brand, Burnett, Conroy, Cox, Curtiss, Davis, Day, Ellerd, Ernst, Fagg, Feda, Gould, Hand, Johnston, Kanduch, Keyser, Kropp, Lien, Lund, McLane, Manuel, Meloy, Meyer, Moore, Nathe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Smith, Stobie, Tower, Turner, Vinger, Wood, Wyrick.

Total 46

Noes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Cooney, Courtney, Dassinger, Dussault, Ellis, Ellison, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Huennekens, Jensen, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lory, Lynch, Marks, Menahan, Metcalf, Mular, O'Connell, O'Keefe, Palmer, Ryan, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 51

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Holmes.

Total 2

Senate Bill No. 382 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Metcalf, Meyer, Moore, Mular,

Nathe, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wyrick.  
Total 79

Noes: Bengtson, Bradley, Day, Dussault, Estenson, Feda, Frates, Harper, Meloy, Menahan, O'Connell, Palmer, Roth, Ryan, Smith, Vincent, Waldron, Mr. Speaker.  
Total 18

Excused: Hurwitz.  
Total 1

Absent or not voting: Colburn, Wood.  
Total 2

Senate Bill No. 399 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Conroy, Cooney, Courtney, Cox, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Frates, Gerke, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Jensen, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Mular, Palmer, Robbins, Severson, Shelden, Smith, South, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 54

Noes: Aageson, Bertelsen, Brand, Burnett, Curtiss, Dassinger, Davis, Day, Ellerd, Fabrega, Fagg, Feda, Gilligan, E. Gunderson, Hirsch, Johnston, Kenny, Keyser, Lien, Lory, Lund, Manuel, Meyer, Moore, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Sivertsen, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Vinger, Wood.  
Total 44

Excused: Hurwitz.  
Total 1

Absent or not voting: Colburn.  
Total 1

Senate Bill No. 413 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Severson, Shelden, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 87

Noes: Burnett, Conroy, Cox, Curtiss, Kenny, Roth, Ryan, Seifert, Sivertsen, Smith, Vinger.  
Total 11

Excused: Hurwitz.



Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 120 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellison, Ernst, Eudaily, Fagg, Feda, Frates, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Mr. Speaker.

Total 79

Noes: Bardanouve, Barrett, Bradley, Dussault, Ellis, Estenson, Fabrega, Gerke, E. Gunderson, Harper, Holmes, Kessler, Keyser, Meloy, Metcalf, Moore, Scully, Williams, Wyrick.

Total 19

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 125 was concurred in by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kennerly, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Ramirez, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Wood, Wyrick, Mr. Speaker.

Total 69

Noes: R. Baeth, W. Baeth, Bradley, Brand, Cooney, Courtney, Dussault, Ellison, Estenson, Gilligan, Hansen, Harper, Harrington, Kanduch, Kenny, Kimble, Lynch, Meloy, Menahan, Mular, Palmer, Quilici, Robbins, Roth, Shelden, Vincent, Waldron, Williams.

Total 28

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Moore.

Total 2

Senate Bill No. 268 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lund, Lynch, Manuel, Marks, Meloy, Menahan,

Metcalf, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Shelden, South, Staigmiller, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 66

Noes: Aageson, Barrett, Burnett, Curtiss, Davis, Ellerd, Ellison, Eudaily, Fabrega, Fedá, Gould, Hand, Keyser, Kropp, Lory, McLane, Meyer, O'Keefe, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, Stobie, Teague, Tropila, Turner, Vinger, Wood, Wyrick.

Total 31

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Tower.

Total 2

Senate Bill No. 168 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Fabrega, Frates, Kenny, Meyer, Nathe.

Total 5

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 175 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, McLane, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Teague, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 73

Noes: Bertelsen, Brand, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Hand, Jensen, Kropp, Lund, Manuel, Severson, Smith, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Wood, Wyrick.

Total 24

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Roth.

Total 2

Senate Bill No. 195 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Bardanouve, Bertelsen, Frates, Jensen, Kessler, McLane, Severson, Waldron.

Total 8

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 200 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Turner, Vincent, Waldron, Williams, Mr. Speaker.

Total 72

Noes: Aageson, Brand, Burnett, Cox, Curtiss, Davis, Ellerd, Ellison, Feda, Hansen, Jensen, Kropp, Lund, McLane, Nathe, Roth, Seifert, Severson, Smith, Stobie, Tower, Uhde, Underdal, Vinger, Wood, Wyrick.

Total 26

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 310 was concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore,



Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Aageson, Burnett, Conroy, E. Gunderson, Hansen, Keyser, Roth, Severson, Smith, Stobie.

Total 10

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Fabrega.

Total 2

Senate Bill No. 224 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Stobie.

Total 1

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 225 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Hurwitz.



Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 226 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 227 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Curtiss.

Total 1

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 245 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson,

Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Brand, Cooney, Courtney, Cox, Frates, Lynch, Menahan, Turner.

Total 8

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 302 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: Frates.

Total 1

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

Senate Bill No. 329 was concurred in by the following vote:

Ayes: Aageson, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellison, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Sivertsen, South, Teague, Uhde, Vincent, Waldron, Williams, Wood.

Total 64

Noes: R. Baeth, W. Baeth, Bardanouve, Bertelsen, Brand, Davis, Ellerd, Ellis, Ernst, Feda, Gould, Hand, Hansen, Hirsch, Jensen, Kropp, Lund, Nathe, Palmer, Pistoria, Ryan, Seifert, Severson, Shelden, Smith, Staigmilller, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Wyrick, Mr. Speaker.

Total 34

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn.

Total 1

House Bill No. 223 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Curtiss, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lory, Lynch, Manuel, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Palmer, Quilici, Robbins, Ryan, Scully, Shelden, South, Teague, Tower, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 60

Noes: Aageson, Barrett, Burnett, Conroy, Cox, Dassinger, Davis, Ellerd, Ellison, Ernst, Fed, Gould, Hand, Hansen, Johnston, Keyser, Kropp, Kvaalen, Lien, Lund, McLane, Marks, Meyer, Nathe, Pistoria, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Staigmilller, Stobie, Turner, Underdal, Vinger, Wood, Wyrick.

Total 39

Paired: Colburn, Aye; Kvaalen, No.

Excused: Hurwitz.

Total 1

Absent or not voting: None.

Total 0

House Joint Resolution No. 95 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Cox, Curtiss, Ellison, Kvaalen, Lien.

Total 5

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Davis, J. Gunderson.

Total 3

House Joint Resolution No. 96 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox,



Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Ernst, J. Gunderson.

Total 3

Senate Bill No. 80 was concurred in by the following vote:

Ayes: Aageson, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Curtiss, Davis, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Gerke, Hand, Harper, Hirsch, Hurwitz, Jensen, Johnston, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Meyer, Moore, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, South, Stobie, Tower, Turner, Uhde, Underdal, Vinger, Wood, Wyrick, Mr. Speaker.

Total 55

Noes: R. Baeth, W. Baeth, Barrett, Brand, Colburn, Cooney, Courtney, Cox, Dassinger, Day, Ellerd, Ellis, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hansen, Harrington, Holmes, Huennekens, Kanduch, Kennerly, Kenny, Kessler, Kimble, Lynch, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, Staigmiller, Teague, Tropila, Vincent, Waldron, Williams.

Total 44

Paired: Hurwitz, Lien, Ayes; Colburn, Scully, Noes.

Excused: None.

Total 0

Absent or not voting: J. Gunderson.

Total 1

Senate Bill No. 419 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, Halvorson, Hand, Harper, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 76



Noes: Barrett, Burnett, Courtney, Cox, Curtiss, Feda, Gould, Hansen, Keyser, McLane, Seifert, Smith, Staigmiller, Teague, Tower, Tropila, Turner, Vinger.

Total 18

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Davis, J. Gunderson, Harrington, Stobie.

Total 5

Senate Bill No. 31 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: Bardanouve.

Total 1

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Estenson, O'Connell.

Total 3

Senate Bill No. 252 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Hurwitz.

Total 1

Absent or not voting: Colburn, Courtney.

Total 2

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/7/77

Correctly enrolled - HB 283, HB 284, HJR 93.

STATE ADMINISTRATION (Brand, Chairman):

4/7/77

HR 3, introduced bill, be amended as follows:

1. Amend page 1, line 12.

Following: line 12

Insert: "WHEREAS, there may be a possibility of obtaining supplemental federal funds for the 1977 fire season (Federal fiscal year 1977); and"

2. Amend page 1, line 15.

Following: "forces"

Insert: "for the 1978 fire season (federal fiscal year 1978)"

3. Amend page 2, line 1.

Following: "for"

Insert: "federal"

4. Amend page 2, line 2.

Following: line 2

Insert: "BE IT FURTHER RESOLVED, that the Carter administration and Congress are urged to support supplemental financial support for forest fire protection assistance for federal fiscal year 1977."

And as amended, be adopted. Report adopted.

TAXATION (Huennekens, Chairman):

4/7/77

SB 155, be not concurred in.

SB 352, be not concurred in.

SB 431, be not concurred in.

## LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman)

4/7/77

Recommend that at the close of business April 2, 1977, the following be terminated:

Virginia Jellison.....Researcher

Report adopted.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on SB 211 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellison, Ernst, Estenson, Fabrega, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Tropila, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.

Total 77

Noes: Hirsch, Quilici, Robbins, Teague, Uhde, Waldron, Wood.

Total 7

Excused: Hurwitz.

Total 1

Absent or not voting: Bardanouve, Bertelsen, Brand, Colburn, Davis, Ellerd, Ellis, Eudaily, Fagg, Gerke, Kessler, Kimble, Sivertsen, Tower, Turner.

Total 15

On motion by Vincent, and in accordance with the 24-hour rule, the adverse committee report on SB 305 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cox, Curtiss, Dassinger, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Marks, Meloy, Metcalf, Meyer, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: Brand, Cooney, Courtney, Harrington, Kanduch, Lynch, Menahan, Mular, Quilici, Robbins, Teague, Waldron.

Total 12

Excused: Hurwitz.

Total 1

Absent or not voting: Bardanouve, Colburn, Davis, Day, Ellerd, Ellis, Fagg, Gilligan, Kessler, Kimble, Manuel, O'Connell, Severson, Tower.

Total 14

On motion by Shelden, and in accordance with the 24-hour rule, the adverse committee report on SB 350 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kvaalen, Lien, Lory, Lund, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Uhde, Underdal, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 69

Noes: Barrett, Burnett, Davis, Fabrega, Hansen, Keyser, Kropp, McLane, Manuel, Marks, Moore, Mular, Quilici, Seifert, Teague, Tropila, Turner, Vincent, Wood.

Total 19

Excused: Hurwitz.

Total 1

Absent or not voting: Bardanouve, Brand, Colburn, Dassinger, Ellerd, Ellis, Fagg, Gilligan, Kimble, Lynch, O'Connell.

Total 11

On motion by Scully, and in accordance with the 24-hour rule, the adverse committee report on SB 362 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley,

Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Harper, Mular, Teague.

Total 3

Excused: Hurwitz.

Total 1

Absent or not voting: Bardanouve, Brand, Colburn, Ellis, Fagg, Gilligan, Kimble, O'Connell, Severson.

Total 9

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE

#### ON SENATE BILL NO. 203

Report No. 1, April 6, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill 203, met on April 4, 1977, and considered:

House Committee on Fish and Game Amendments to Senate Bill 203 dated March 17, 1977, and recommend as follows:

That the Senate accede to amendment numbers 1 through 7,

And further that Senate Bill No. 203, third reading bill, be amended as follows:

1. Amend title, line 6.

Following: "26-812,"

Strike: "and"

Following: "26-1211,"

Insert: "and 95-302,"

2. Amend page 14, section 9, line 23.

Following: line 23

Insert: "Section 6. Section 95-302, R.C.M. 1947, is amended to read as follows:

'95-302. Jurisdiction of the justice of the peace courts. The justices' courts have:

(a) Jurisdiction of all misdemeanors punishable by a fine not exceeding (five hundred dollars (\$500.00)) or imprisonment not exceeding (six (6)) months, or both such fine and imprisonment, and of all violations of fish and game statutes punishable by a fine of not more than \$1,000 or imprisonment for not more than 6 months, or both; excluding jurisdiction in cases commenced under the Montana Dangerous Drug Act except to act as examining and committing courts and to conduct preliminary hearings as provided in subsection (c).



(b) Concurrent jurisdiction, with district courts, of all misdemeanors punishable by a fine only, not exceeding (fifteen hundred dollars (\$1,500.00)); and

(c) Jurisdiction to act as examining and committing courts and for such purpose to conduct preliminary hearings.”

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on Senate Bill 203 be adopted.

FOR THE SENATE:

DUNKLE  
MEHRENS

FOR THE HOUSE:

STAIGMILLER  
R. BAETH  
SEIFERT

Report adopted.

### MESSAGES FROM THE GOVERNOR

April 7, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill Nos. 307, 338, 348, 596, 741, 765, 794, and 804.

Sincerely,

THOMAS L. JUDGE  
Governor

April 7, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 132, 194, 223, 265, 289, 291, 292, 293, 294, 298, 357, and 443.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Bills concurred in as amended by the Senate,  
and returned to the House for  
concurrence in Senate Amendments:

4/7/77

House Bill No. 123, introduced by Sivertsen, Robbins, Bertelsen

House Bill No. 147, introduced by Scully, Bradley, Vincent, et al

House Bill No. 151, introduced by Cooney, Palmer, et al

House Bill No. 298, introduced by Bengtson, Dussault, et al

House Bill No. 302, introduced by Meloy, Vincent, et al

Bill not concurred in as amended by the Senate  
and returned to the House:

4/7/77

House Bill No. 304, introduced by Menahan (by request)

Bills and Resolution on Committee Report, not  
concurred in by the Senate, reports  
adopted, and returned to the House:

4/7/77

House Bill No. 67, introduced by Robbins, Bertelsen, et al

House Bill No. 346, introduced by Estenson (by request)

House Joint Resolution No. 46, introduced by Harper, Vincent, et al

4/7/77

House Bill No. 297, introduced by Driscoll, requiring adoption by an  
affirmative roll call vote of two-thirds of all the members of the legis-  
lature, failed to pass the Senate on roll call vote, and is returned to  
the House with the following vote:

## SENATE

## HOUSE OF REPRESENTATIVES

YEAS - 22

YEAS - 62

NAYS - 26

NAYS - 37

## MOTIONS

Menahan moved that he be allowed to change his vote from No to Yes  
on the be not concurred in motion on SB 359 on Second Reading. Motion  
carried.

Meloy moved that the House adjourn until 11:00 a.m., April 8, 1977.

Motion carried.

House adjourned at 9:35 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## **EIGHTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
April 8, 1977

House Chambers  
Capitol Building

House convened at 11:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Fedra, excused; Fagg, Kimble, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eightieth Legislative Day, find the same to be correct.

QUILICI, Chairman

### **REPORTS OF STANDING COMMITTEES**

BILLS (Quilici, Chairman): 4/8/77  
Correctly printed - HJR 97, HB 834.

Will be signed by the Speaker on adjournment, 4/8/77 - HB 283, HB 284.

Were signed by the Speaker on adjournment, 4/7/77 - HJR 66, HJR 70, HJR 85.

EDUCATION (Dussault, Chairman): 4/8/77  
HJR 100, do pass. Report adopted.

Objection raised by Day on 4/8/77 on adverse committee report on SB 155. Referred to Second Reading.

### **MESSAGES FROM THE OTHER HOUSE**

Bills and Resolutions concurred in by  
the Senate and returned to the House: 4/7/77

House Bill No. 455, introduced by Meloy (by request)

House Bill No. 488, introduced by South

House Joint Resolution No. 83, introduced by Natural Resources Committee

House Joint Resolution No. 90, introduced by Williams, Gerke, et al.

Bills and Resolution concurred in by the Senate  
as amended, and returned to the House  
for concurrence in Senate Amendments: 4/7/77

House Bill No. 334, introduced by Moore

House Bill No. 485, introduced by J. Gunderson, Bengtson, et al

House Bill No. 492, introduced by Driscoll, Mular, Meloy

House Bill No. 493, introduced by Harper

House Bill No. 508, introduced by Kvaalen (by request)

House Bill No. 577, introduced by Conroy, Day, Seifert, et al

House Bill No. 647, introduced by Scully

House Bill No. 658, introduced by Lynch (by request)

House Bill No. 719, introduced by Meloy

House Bill No. 735, introduced by Scully, Ageson, et al

House Bill No. 772, introduced by Dussault, Bengtson

House Bill No. 795, introduced by Bardanouve, Meloy, Scully

House Bill No. 800, introduced by Holmes, Meloy, et al

House Joint Resolution No. 79, introduced by State Administration Committee

Bills concurred in by the Senate as amended,  
and returned to the House for concurrence  
in Senate Amendments:

4/7/77

House Bill No. 251, introduced by Harper, Scully, et al (by request)

House Bill No. 263, introduced by Kimble, Barrett, et al

House Bill No. 356, introduced by Gould, Keyser, et al

House Bill No. 787, introduced by Driscoll

Bill not concurred in by the Senate  
and returned to the House:

4/7/77

House Bill No. 410, introduced by Dussault, Tropila, Kvaalen, et al

Resolution not concurred in by the Senate  
as amended, and returned to the House:

House Joint Resolution No. 20, introduced by Kimble, Uhde, R. Baeth,  
Shelden (by request)

4/7/77

Bills on Committee of the Whole in the Senate, recommended that further  
action be indefinitely postponed as amended, reports adopted, and  
returned to the House:

House Bill No. 527, introduced by Fagg, Ramirez, Porter, et al

House Bill No. 700, introduced by Brand, Bradley, et al

4/7/77

Bill on Committee of the Whole in the Senate, recommended that further  
action be indefinitely postponed as amended, report adopted, and  
returned to the House:

House Bill No. 788, introduced by Dussault, Fagg, et al

4/7/77

Senate on motion requests the return of House Bill No. 410 for further  
consideration.

4/7/77

House Bill No. 217, introduced by Bardanouve, Lund, et al, requiring  
adoption by an affirmative roll call vote of two-thirds of all the  
members of the legislature passed the Senate as amended on roll call  
vote, and returned to the House for concurrence in Senate Amend-  
ments with the following vote:

#### SENATE

YEAS - 43

NAYS - 5

#### HOUSE OF REPRESENTATIVES

YEAS - 60

NAYS - 39



4/7/77

Senate adopted Free Conference Committee Report on House Bill No. 664 on roll call vote.

4/7/77

Governor's Amendments to Senate Bill No. 269 were concurred in on roll call vote.

### MOTIONS

Meloy moved that HB 828 be referred to the top of the Second Reading board for consideration this day from the 85th Legislative Day. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

South in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Fagg and Kimble present at this time.

That HB 828 be amended as follows:

1. Amend page 1.

Following: line 15

Insert: "Section 2. Surplus. For the fiscal year 1979, the \$15.1 million appropriated in section 1 is the maximum amount authorized for distribution. However, this amount shall be reduced dollar for dollar by the amount the actual general fund surplus at the end of fiscal year 1978 is less than \$25 million. If the surplus at the end of fiscal year 1978 is less than \$15 million, no funds shall be distributed under this act for fiscal year 1979." (51-49)

Ryan requested the ayes and naves be spread on the journal. Sufficient seconds arose. The do not pass motion failed by the following vote:

Ayes: Aageson, Barrett, Burnett, Cox, Dussault, Ellis, Ellison, Fabrega, Holmes, Hurwitz, Kessler, Keyser, Kvaalen, Lory, McLane, Marks, Meyer, Moore, Palmer, Roth, Seifert, Shelden, Sivertsen, Smith, Stobie, Tower, Uhde, Underdal, Waldron, Wyrick.

Total 30

Noes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Driscoll, Ellerd, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kropp, Lien, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, South, Staigmiller, Teague, Tropila, Turner, Vincent, Vinger, Williams, Wood.

Total 70

Paired: Fabrega, Aye; Feda, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Thereupon HB 828 passed. (71-29)

That the committee rise and report. (South, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

Examined by Sponsors and found to be correct - HB 283, HB 284.

NATURAL RESOURCES (Shelden, Chairman):

4/8/77

SJR 43, third reading copy, be amended as follows:

1. Amend title, line 6.

Following: "assign"

Strike: "the"

Insert: "an"

Following: "appropriate"

Strike: "standing"

2. Amend page 1, line 20.

Following: "growth"

Insert: "with subsequent reduction of agricultural land"

3. Amend page 2, line 6.

Following: line 5

Strike: "the"

Insert: "an"

Following: "appropriate"

Strike: "standing"

Following: "committee"

Insert: ", consisting of equal representation of both houses and both parties,"

And as amended, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman):

4/8/77

SJR 46, be concurred in. Report adopted.

### MOTIONS

Huennekens moved that the free joint conference committee on HB 4 be dissolved and that a new free joint conference committee be appointed. Motion carried.

Meloy moved that the House adjourn until 9:00 a.m., April 9, 1977.

Motion carried.

House adjourned at 1:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk

## EIGHTY-SECOND LEGISLATIVE DAY

Helena, Montana  
April 9, 1977

House Chambers  
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Barrett, Bengtson, Burnett, Fagg, Feda, Robbins, Seifert, Severson, Sivertsen, Teague, Tower, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/9/77

Correctly printed, 4/9/77 - HJR 100.

Were signed by the Speaker on adjournment, 4/8/77 - HB 283, HB 284.

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on SB 352 was adopted by the following vote:

Ayes: Ageson, W. Baeth, Bradley, Colburn, Cooney, Courtney, Curtiss, Dassinger, Day, Ellerd, Ellis, Eudaily, Frates, Gerke, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Hirsch, Huennekens, Hurwitz, Jensen, Kanduch, Kenny, Kvaalen, Lory, Lynch, Metcalf, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Shelden, Smith, South, Staigmillier, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Mr. Speaker.

Total 51

Noes: Bertelsen, Brand, Cox, Ellison, Ernst, Fabrega, E. Gunderson, J. Gunderson, Johnston, Keyser, Kropp, Lien, Lund, McLane, Manuel, Marks, Meyer, Nathe, Scully, Stobie, Vinger, Wood, Wyrick.

Total 23

Excused: Barrett, Bengtson, Burnett, Fagg, Feda, Robbins, Seifert, Severson, Sivertsen, Teague, Tower.

Total 11

Absent or not voting: R. Baeth, Bardanouve, Conroy, Davis, Dussault, Estenson, Harrington, Holmes, Kennerly, Kessler, Kimble, Meloy, Menahan, Ryan, Waldron.

Total 15

On motion by Huennekens, and in accordance with the 24-hour rule, the adverse committee report on SB 431 was adopted by the following vote:

Ayes: W. Baeth, Bardanouve, Bertelsen, Colburn, Cox, Curtiss, Dassinger, Day, Ellis, Eudaily, Gerke, Gilligan, Gould, Halvorson, Hand, Harper, Hirsch, Huennekens, Hurwitz, Jensen, Kanduch, Kenny, Lory, Lynch, McLane, Metcalf, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Roth, Scully, Shelden, South, Staigmillier, Underdal, Williams, Mr. Speaker.

Total 42

Noes: Aageson, Bradley, Brand, Cooney, Courtney, Ellerd, Ellison, Ernst, Fabrega, Frates, E. Gunderson, J. Gunderson, Hansen, Johnston, Keyser, Kropp, Kvaalen, Lien, Lund, Manuel, Marks, Meyer, Nathe, Ramirez, Smith, Stobie, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Wood, Wyrick.

Total 34

Excused: Barrett, Bengtson, Burnett, Fagg, Feda, Robbins, Seifert, Severson, Sivertsen, Teague, Tower.

Total 11

Absent or not voting: R. Baeth, Conroy, Davis, Dussault, Estenson, Harrington, Holmes, Kennerly, Kessler, Kimble, Meloy, Menahan, Ryan.

Total 13

### MESSAGES FROM THE GOVERNOR

April 8, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill Nos. 46, 100, 157, 186, 309, 321, 351, 537, 558, 584 and 620.

Sincerely,

THOMAS L. JUDGE  
Governor

April 8, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 33, 83, 111, 119, 149, 228, 385, 389, 403, and 429.

Sincerely,

THOMAS L. JUDGE  
Governor

April 8, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601



Dear President McOmber and Speaker Driscoll:

In exercising the constitutional powers conferred upon me as Governor, I hereby return House Bill 370, "An act to amend sections 87-103 and 87-104, R.C.M. 1947, to provide for noncharging for benefits paid to newly covered workers during the transition and provide for federal reimbursement to states for the cost of regular benefits and the 50% of extended benefits paid to these newly covered workers as provided for in public law 94-566, as well as to change the duration of benefits, the method of determining on and off indicators for extended benefits, and the benefit schedule and to revise the order in which the law is written.", without my signature and recommend the attached amendment.

The amendment revises the schedule used to determine the claimant's duration of benefits. It is important that this schedule be amended since there was an oversight in the department's preparation of the schedule. As written in the bill, the schedule denies benefits to individuals who otherwise qualify for the reason that they do have sufficient wage credits to establish a benefit amount of at least \$12.00 per week. Since these persons have qualifying wages, it is only reasonable that they be entitled to the minimum duration of 12 weeks, and the revised schedule provides for this duration. The department has also suggested a slight adjustment in the array of ratios in order to avoid unfair reduction of duration where there is strong evidence of attachment to the labor force.

The attached amendment changes the schedule to alleviate these two problems while at the same time preserving the basic thrust of the legislation. As corrected by the attached amendment, House Bill 370 still ties the wage earnings of an individual during his base period to the duration of weekly benefit payments for which he is eligible. It is estimated that even with this proposed amendment, House Bill 370 will result in a savings to the unemployment compensation fund of about 1.3 million dollars over the next two years.

I respectfully urge your concurrence in this amendment.

Sincerely,

THOMAS L. JUDGE  
Governor

1. Amend page 4, section 1, lines 11 through 18.

Following: line 10

Strike: lines 11 through 18 in their entirety

Insert:	"	0	to	1.75	12
		1.76	to	1.95	14
		1.96	to	2.15	16
		2.16	to	2.35	18
		2.36	to	2.55	20
		2.56	to	2.75	22
		2.76	to	2.95	24
		2.96	or more		26"

#### MESSAGES FROM THE OTHER HOUSE

Bills concurred in by the Senate, and transmitted  
to the House for concurrence:

4/8/77

Senate Bill No. 166, introduced by Committee on Labor and Employment Relations

Senate Bill No. 445, introduced by Lockrem

Senate Bill No. 447, introduced by McCallum, Dunkle, et al

### MOTIONS

Meloy moved that the House accede to the request of the Senate and return HB 410 to them for further consideration. Motion carried.

Day moved that consideration of SB 155 be postponed to the 84th Legislative Day. Motion carried.

Meloy moved that the Governor's Amendments to HB 370 be placed on Second Reading today. Motion carried.

Meloy moved that HB 834 be rereferred from Second Reading to the Committee on Appropriations. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time and referred to committees:

SB 166, introduced by Committee on Labor and Employment Relations; Lee, Chairman (By Request of the Division of Workers' Compensation). Referred to Committee on Rules.

SB 445, introduced by Lockrem. Referred to Committee on Local Government.

SB 447, introduced by McCallum, Dunkle, E. Smith, Mathers, Thomas, Aber, Murray, Goodover, Nelson, Lee, Olson, Norman, Jergeson, Manley, Boylan, Murphy, Flynn, Galt, Graham, Bergren, Lensink, Lowe, Dover, Peterson, Hazelbaker. Referred to Committee on Rules.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Tropila in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HJR 98 do pass. (77-8)

That HJR 99 do pass. (80-2)

That HB 446 do pass. (57-28)

That SB 107 be concurred in. (64-21)

Tower present at this time.

That SB 233 be concurred in. (73-12)

That SB 309 be concurred in. (84-1)

That SB 324 be concurred in. (52-47)

Meloy replaced Tropila in the Chair.

That SB 363 be concurred in. (81-4)

Tropila resumed the Chair.

That SB 380 be concurred in. (75-8)

That SB 384 be concurred in. (85-0)

That SJR 29 be concurred in. (81-1)

Barrett present at this time.

That SJR 45 be concurred in. (67-24)

That HJR 97 do pass. (81-1)

That SJR 43 be concurred in. (81-3)

That SJR 46 be concurred in. (83-0)

That the committee rise and report. (Tropila, Chairman)

Gerke moved that HB 446 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/9/77

Correctly engrossed - HB 828.

Correctly printed - HR 3.

Will be signed by the Speaker on adjournment, 4/9/77- SB 34, SB 53, SB 165, SB 179, SB 202, SB 386, SJR 3, HJR 93.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 10:10 a.m., 4/9/77  
HB 283, HB 284.

Examined by Sponsor and found to be correct - HJR 93.

APPROPRIATIONS (Bardanoue, Chairman):

4/9/77

SB 93, be concurred in. Report adopted.

SB 167, be not concurred in.

SB 239, be concurred in. Report adopted.

SB 275, be not concurred in.

SB 421, be concurred in. Report adopted.

Objection raised by Marks on 4/9/77 on adverse committee report on SB 167. Referred to Second Reading.

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolutions concurred in by the Senate,  
and returned to the House:

4/9/77

House Bill No. 447, introduced by Sivertsen, E. Gunderson, Davis, et al

House Bill No. 547, introduced by Barrett

House Bill No. 635, introduced by Fagg, Manuel, Estenson (by request)

House Bill No. 769, introduced by W. Baeth (by request)

House Joint Resolution No. 84, introduced by Dussault (by request)

Bills and Resolutions concurred in as amended  
by the Senate, and returned to the House  
for concurrence in Senate Amendments:

4/9/77

House Bill No. 90, introduced by Robbins, Gilligan, Bertelsen

House Bill No. 197, introduced by Quilici, Lynch, Harrington (by request)

House Bill No. 320, introduced by Ramirez, Scully

House Bill No. 462, introduced by Meloy, Holmes, Dussault

House Bill No. 498, introduced by Scully

House Bill No. 512, introduced by Metcalf, Estenson, J. Gunderson, Harper (by request)

House Bill No. 560, introduced by Burnett

House Bill No. 599, introduced by Lien, Fagg, et al

House Bill No. 738, introduced by Meloy, Dussault

House Bill No. 745, introduced by Gerke

House Bill No. 791, introduced by Committee on State Administration

House Joint Resolution No. 71, introduced by Nathe

House Joint Resolution No. 75, introduced by Committee on Natural Resources

4/9/77

Senate, on April 8, 1977, failed to concur in House Amendments to Senate Bill No. 37, and the President appointed the following Conference Committee and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 37.

Senator Turnage, Chairman  
 Senator Manley  
 Senator Murray

Resolution passed by the Senate and transmitted  
 to the House for concurrence:

4/9/77

Senate Joint Resolution No. 44, introduced by Towe, Murphy, et al

### MOTIONS

Huennekens moved that SB 206 be rereferred from the Committee on Business and Industry to Second Reading. Smith moved the previous question. Motion failed. Thereupon Huennekens' motion failed.

Meloy moved that the rules be suspended and that HB 828 be placed on Third Reading today. Lacking  $\frac{2}{3}$  majority, motion failed.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House resolution was introduced, read first time and referred to committee:

HJR 103, introduced by Meloy. Referred to Committee on Public Health, Welfare and Safety.

The following Senate resolution was introduced, read first time and referred to committee:

SJR 44, introduced by Towe, Murphy, Watt, Manning, R. Smith, Regan, Brown, Turnage, McOmber, Fabsbender, Jergeson. Referred to Committee on Taxation.



**UNFINISHED BUSINESS**

The Speaker appointed the following new free conference committee of three to meet with a like committee from the Senate on House Bill 4: Kessler, Chairman; Frates and Ellerd.

Meloy moved that the House adjourn until 1:30 p.m., April 11, 1977.

Motion carried.

House adjourned at 12:05 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## EIGHTY-THIRD LEGISLATIVE DAY

Helena, Montana  
April 11, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Davis, Gerke, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

April 7, 1977

Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear Mr. Driscoll:

The following Pages will be employed in the House of Representatives from April 11th through April 16th, 1977:

Mike J. Andrus	Fairfield
Edna Baker	Helena
Robert Eugene Brester	Missoula
Darci Dee Gunderson	Power
Barbara Murphey	Missoula
Tenely Morris	Corvallis
Debbie Stevens	Corvallis

Sincerely,

Sam Wolfe  
Sergeant-at-Arms

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/11/77

Considered correctly engrossed - HJR 97, HJR 98, HJR 99.

Were signed by the Speaker on adjournment, 4/9/77 - SB 34, SB 53, SB 165, SB 179, SB 202, SB 386, SJR 3, HJR 93.

HIGHWAYS AND TRANSPORTATION (W. Baeth, Chairman): 4/11/77  
HJR 102, do pass. Report adopted.

TAXATION (Huennekens, Chairman): 4/9/77  
SB 193, third reading bill, be amended as follows:

1. Amend page 1, section 1, line 23.  
Following: "automobile"  
Insert: ", or light motor truck,  $\frac{3}{4}$  ton or less,"
2. Amend page 1, section 1, line 25.  
Following: "(\$50)"

Strike: "\$65"

Insert: "\$90"

3. Amend page 2, section 1, line 1.

Following: "(\$45)"

Strike: "\$55"

Insert: "\$75"

4. Amend page 2, section 1, line 2.

Following: "(\$40)"

Strike: "\$45"

Insert: "\$60"

5. Amend page 2, section 1, line 3.

Following: "old"

Strike: "\$35"

Insert: "\$45"

6. Amend page 2, section 1, line 4.

Following: "(\$30)"

Strike: "\$25"

Insert: "\$30"

7. Amend page 2, section 1, line 5.

Following: "(\$25)"

Strike: "\$15"

Insert: "\$20"

8. Amend page 2, section 1, line 6.

Following: "(\$20)"

Strike: "\$5"

Insert: "\$10"

9. Amend page 2, section 1 (3), lines 7 through 20.

Following: line 6

Strike: subsection (3) in its entirety

Renumber: subsequent sections

10. Amend page 21, section 16, line 24.

Following: "(cars,)"

Insert: "motor trucks,"

11. Amend page 21, section 16, line 25.

Following: "(homes)"

Insert: "those"

(Material in parentheses denotes cancelled type.)

And as amended, be not concurred in.

BUSINESS AND INDUSTRY (Vincent, Chairman):

4/11/77

HB 31, do pass. Report adopted.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

4/11/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business April 11, 1977:

Mike J. Andrus .....	Page
Edna Baker .....	Page
Robert Brester .....	Page
Darci Gunderson .....	Page
Barbara Murphey .....	Page
Tenely Morris .....	Page



Debbie Stevens.....Page

At the close of business April 9, 1977, the following also be terminated:

Tim Flynn .....Page  
 Tom Moore .....Page  
 Noelle Paige.....Page  
 MacDonald Reagan.....Page  
 Debi Strickland.....Page  
 Karin K. Thomas.....Page  
 Gwendolyn Travis.....Page  
 Annette Trinity.....Page  
 Cathleen Tutty.....Page

At the close of business April 12, 1977, the following also be terminated:

Jim Staples.....Page

Report adopted.

On motion by Bardanouve, and in accordance with the 24-hour rule, the adverse committee report on SB 275 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Burnett, Colburn, Conroy, Cooney, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Severson, Sheldon, Smith, South, Staigmler, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
 Total 82

Noes: Barrett, Cox, Curtiss, McLane, O'Keefe, Seifert, Waldron.  
 Total 7

Excused: Brand, Davis, Gerke.  
 Total 3

Absent or not voting: Bradley, Courtney, Kimble, Mular, Ryan, Scully, Sivertsen, Stobie.  
 Total 8

### THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 828 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Ellerd, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kimble, Kropp, Lien, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Smith, South, Staigmler, Teague, Tropila, Turner, Vincent, Vinger, Williams, Mr. Speaker.

Total 70

Noes: Aageson, Barrett, Burnett, Cox, Dussault, Ellis, Ellison, Fabrega, Holmes, Hurwitz, Kessler, Keyser, Kvaalen, Lory, Marks, Metcalf, Meyer, Moore, Palmer, Roth, Seifert, Sheldon, Sivertsen, Tower, Uhde, Underdal, Waldron, Wood, Wyrick.

Total 29

Paired: Brand, Davis, Gerke, Mular, Quilici, Ayes; Dussault, Holmes, Metcalf, Roth, Seifert, Noes.

Excused: None.

Total 0

Absent or not voting: Stobie.

Total 1

### MESSAGES FROM THE OTHER HOUSE

Bill, on 4/7/77, concurred in by the Senate  
and returned to the House:

4/11/77

House Bill No. 340, introduced by R. Baeth, Ellison (by request)

Bills concurred in as amended by the Senate,  
and returned to the House for concurrence  
in Senate Amendments:

4/11/77

House Bill No. 156, introduced by Driscoll (by request)

House Bill No. 198, introduced by Quilici, Lynch, et al

House Bill No. 215, introduced by Palmer, Waldron, et al

House Bill No. 422, introduced by Ramirez, Porter, et al

House Bill No. 499, introduced by Scully, Ramirez

House Bill No. 627, introduced by W. Baeth, Fabrega, et al

House Bill No. 773, introduced by Huennekens, Meloy, Vincent

House Bill No. 816, introduced by Dussault (by request)

### MOTIONS

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on House Amendments to Senate Bill 37. Motion carried.

Ellerd moved that Senate Amendments to HB 148 be placed above SB 199 on Second Reading today. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

HB 838, introduced by Driscoll. Referred to Committee on Appropriations.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HJR 21 be adopted. (84-0)

That the Conference Committee Report on HJR 68 be adopted. (91-1)

That the Conference Committee Report on HB 41 be adopted. (88-2)

That the Conference Committee Report on HB 125 be adopted. (82-7)

That the Conference Committee Report on HB 126 be adopted. (87-0)

That the Conference Committee Report on HB 352 be adopted. (87-0)

That the Conference Committee Report on HB 612 be passed for the day.

That the Conference Committee Report on HB 664 be adopted. (83-1)

That the Conference Committee Report on SB 26 be adopted. (87-0)

That the Conference Committee Report on SB 203 be adopted. (83-4)

That the Conference Committee Report on SB 286 be placed below Governor's Amendments to HB 370.

That the Conference Committee Report on SB 331 be adopted. (84-2)

That SA to HB 148 be concurred in. (92-0)

That the Governor's Amendments to SB 199 be not concurred in. (70-23)

That the Governor's Amendments to SB 269 be passed for the day.

That the Governor's Amendments to HB 178 be concurred in. (77-12)

That the Governor's Amendments to HB 301 be concurred in. (90-2)

That the Governor's Amendments to HB 370 be concurred in. (91-3)

That the Conference Committee Report on SB 286 be adopted. (90-4)

That HB 446 be passed for the day.

That HJR 100 do pass. (83-1)

That HR 3 be adopted. (85-0)

That SB 93 be concurred in. (85-1)

That SB 167 be passed for the day.

That SB 239 be concurred in. (86-0)

That SB 421 be concurred in. (87-1)

- That SA to HB 5 be concurred in. (90-1)
- That SA to HB 29 be concurred in. (50-44)
- That SA to HB 68 be concurred in. (84-0)
- That SA to HB 70 be not concurred in. (88-1)
- That SA to HB 90 be not concurred in. (83-3)
- That SA to HB 147 be concurred in. (87-0)
- That SA to HB 151 be concurred in. (88-1)
- That SA to HB 159 be concurred in. (83-5)
- That SA to HB 164 be concurred in. (78-12)
- That SA to HB 177 be concurred in. (89-2)
- That SA to HB 197 be concurred in. (83-4)
- That SA to HB 217 be concurred in. (83-6)
- That SA to HB 239 be passed for the day.
- That SA to HB 245 be not concurred in. (63-23)
- That SA to HB 247 be concurred in. (83-4)
- That SA to HB 251 be concurred in. (82-5)
- That SA to HB 263 be placed below HB 457.
- That SA to HB 280 be concurred in. (80-3)
- That SA to HB 286 be concurred in. (69-13)
- That SA to HB 299 be passed for the day.
- That SA to HB 302 be not concurred in. (84-5)
- That SA to HB 318 be concurred in. (85-1)
- That SA to HB 320 be concurred in. (84-0)
- That SA to HB 324 be concurred in. (85-1)
- That SA to HB 326 be not concurred in. (82-2)
- That SA to HB 330 be concurred in. (86-0)
- That SA to HB 334 be not concurred in. (89-2)
- That SA to HB 356 be concurred in. (89-0)
- That SA to HB 360 be concurred in. (78-10)
- That SA to HB 363 be concurred in. (83-4)
- That SA to HB 384 be concurred in. (84-1)
- That SA to HB 389 be concurred in. (83-1)
- That SA to HB 402 be concurred in. (78-4)
- That SA to HB 411 be not concurred in. (83-4)
- That SA to HB 415 be concurred in. (83-5)
- That SA to HB 457 be concurred in. (84-0)



That SA to HB 263 be not concurred in. (87-0)

That SA to HB 462 be not concurred in. (84-0)

That the committee rise and report and beg leave to sit again. (Kvaalen, Chairman)

Bengtson moved that Senate Amendments to HB 29 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Conference Committee Report on House Joint Resolution No. 21 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Underdal.

Total 1

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Burnett, Colburn, Cox, Halvorson, Marks, Mular, Nathe.

Total 7

The Conference Committee Report on House Joint Resolution No. 68 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Bradley, Dussault, Quilici, Vincent.

Total 4

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Burnett, Colburn, Cox, Halvorson, Kimble, Ramirez, Roth.

Total 7

The Conference Committee Report on House Bill No. 41 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Burnett, Colburn, Cox, Halvorson, Roth.

Total 5

The Conference Committee Report on House Bill No. 125 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Nathe, Stobie, Vinger.

Total 3

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Cox, Halvorson, Roth.

Total 4

The Conference Committee Report on House Bill No. 126 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day,

Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Bardanouve, Colburn, Halvorson, Roth, Tower.

Total 5

The Conference Committee Report on House Bill No. 352 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Estenson.

Total 1

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Holmes, Pistoria, Roth.

Total 4

The Conference Committee Report on House Bill No. 664 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 95

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Roth.

Total 2

The Conference Committee Report on Senate Bill No. 26 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn.

Total 1

The Conference Committee Report on Senate Bill No. 203 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 84

Noes: Kenny, Keyser, Nathe, Robbins, Roth, Ryan, Stobie, Teague, Vinger.

Total 9

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Eudaily, Scully, Tower.

Total 4



The Conference Committee Report on Senate Bill No. 286 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Sheldon, Smith, South, Staigmillar, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Day, Ryan, Sivertsen, Stobie, Vinger.

Total 5

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Meloy, Tower.

Total 3

The Conference Committee Report on Senate Bill No. 331 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Kenny, Ryan, Smith.

Total 3

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Waldron.

Total 2

Governor's Amendments to House Bill No. 178 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore,

Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Williams, Wood, Mr. Speaker.

Total 86

Noes: Curtiss, E. Gunderson, Jensen, McLane, Uhde, Vinger, Wyrick.

Total 7

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Bardanouve, Colburn, Smith, Waldron.

Total 4

Governor's Amendments to House Bill No. 301 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Porter, Uhde.

Total 2

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Meloy, Waldron.

Total 3

Governor's Amendments to House Bill No. 370 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Kenny, Uhde.

Total 2

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Bardanouve, Colburn, Meloy, Waldron.  
Total 4

Senate Bill No. 93 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 90

Noes: Jensen, Uhde.  
Total 2

Excused: Brand, Davis, Gerke.  
Total 3

Absent or not voting: Colburn, Ellison, Johnston, Smith, Waldron.  
Total 5

Senate Bill No. 239 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 93

Noes: Estenson, Holmes.  
Total 2

Excused: Brand, Davis, Gerke.  
Total 3

Absent or not voting: Colburn, Waldron.  
Total 2

Senate Bill No. 421 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel,



Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Jensen, Smith, Stobie.

Total 3

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Holmes, Kropp, Waldron.

Total 4

Senate Amendments to House Bill No. 5 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Burnett, Kenny.

Total 2

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Sivertsen, Waldron.

Total 3

Senate Amendments to House Bill No. 68 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Day, Manuel.

Total 2

Excused: Brand, Davis, Gerke.



Total 3

Absent or not voting: Colburn, Meloy, Robbins, Smith, Tower, Waldron.

Total 6

Senate Amendments to House Bill No. 147 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Lund, Waldron.

Total 3

Senate Amendments to House Bill No. 148 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: Nathe.

Total 1

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Waldron.

Total 2

Senate Amendments to House Bill No. 151 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily,

Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Waldron.

Total 2

Senate Amendments to House Bill No. 159 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Kenny, Keyser, Roth, Stobie, Vinger.

Total 5

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Robbins, Williams.

Total 3

Senate Amendments to House Bill No. 164 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Burnett, Cox, Hansen, Jensen, Johnston, Nathe, Porter, Roth, Smith, Stobie, Vinger.

Total 11

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Robbins, Sivertsen.

Total 3

Senate Amendments to House Bill No. 177 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Hand, Stobie.

Total 2

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Robbins.

Total 2

Senate Amendments to House Bill No. 197 were concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Ageson, Hand, Hansen, Roth, Smith, Stobie.

Total 6

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Porter, Robbins.

Total 3

Senate Amendments to House Bill No. 217 were concurred in by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Dussault, Estenson, Hand, Jensen, Kenny, Kimble, Ryan, Teague, Waldron.

Total 9

Paired: Davis, Aye; Teague, No.

Excused: Brand, Gerke.

Total 2

Absent or not voting: Colburn, Robbins, Turner.

Total 3

Senate Amendments to House Bill No. 247 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Jensen, Kenny.

Total 2

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Robbins.

Total 2

Senate Amendments to House Bill No. 251 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe,



O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Burnett, Keyser, Seifert, Smith.

Total 4

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Kropp, Robbins, Tower.

Total 4

Senate Amendments to House Bill No. 280 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Ernst, Robbins, Sivertsen.

Total 4

Senate Amendments to House Bill No. 286 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: Barrett, Burnett, Fedra, Hand, Kenny, Lund, Nathe, Porter, Smith, Stobie, Vinger.

Total 11

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Ellison, Gould, Marks, Robbins.

Total 5

Senate Amendments to House Bill No. 318 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Bardanouve, Colburn, Ellison, Roth.

Total 4

Senate Amendments to House Bill No. 320 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Halvorson, Roth.

Total 3

Senate Amendments to House Bill No. 324 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega,

Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Bradley, Colburn, Roth.

Total 3

Senate Amendments to House Bill No. 330 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Burnett, Kenny.

Total 2

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Roth.

Total 2

Senate Amendments to House Bill No. 356 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.



Total 95

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Roth.

Total 2

Senate Amendments to House Bill No. 360 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Kenny, Nathe, Smith, Stobie, Turner, Vinger.

Total 6

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Roth.

Total 2

Senate Amendments to House Bill No. 363 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Burnett, Hand, Kenny, Ryan, Smith.

Total 5

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Roth.

Total 2

Senate Amendments to House Bill No. 384 were concurred in by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Ellison, Robbins, Roth, Tower.

Total 5

Senate Amendments to House Bill No. 389 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Hand.

Total 1

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Day, Robbins, Roth.

Total 4

Senate Amendments to House Bill No. 402 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden,

Sivertsen, South, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Smith, Stobie.

Total 2

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Tower.

Total 2

Senate Amendment to House Bill No. 415 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Kenny, Moore, Teague, Tower, Vinger.

Total 5

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn.

Total 1

Senate Amendments to House Bill No. 457 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Brand, Davis, Gerke.

Total 3

Absent or not voting: Colburn, Robbins.

Total 2

### MOTIONS

Meloy moved that the rules be suspended to allow passage of HR 3. Motion carried.

Meloy moved that the Speaker be authorized to appoint conference committees of three to meet with like committees from the Senate on Senate Amendments on the following bills: HB 70, HB 90, HB 263, HB 302, HB 326, HB 334, HB 411, and HB 462. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on HB 245.

Meloy moved that the rules be suspended and that the following bills be allowed to be concurred in on Third Reading this day: SB 93, SB 239, and SB 421. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following conference committees of three to meet with like committees from the Senate to confer on Senate Amendments to:

HB 70: Huennekens, Chairman; Williams and Fabrega;  
HB 90: Robbins, Chairman; O'Connell and Bertelsen;  
HB 263: Kimble, Chairman; Palmer and Barrett;  
HB 302: Meloy, Chairman; Bradley and Keyser;  
HB 326: Scully, Chairman; Ryan and Lory;  
HB 334: Scully, Chairman; Conroy and Ramirez;  
HB 411: Dussault, Chairman; Meloy and Tower;  
HB 462: Meloy, Chairman; Vincent and Marks.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate to confer on HB 245: Lynch, Chairman; Williams and Marks.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Kvaalen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 484 be concurred in. (78-0)

That SA to HB 485 be concurred in. (78-5)

That SA to HB 487 be concurred in. (74-8)

That SA to HB 492 be concurred in. (85-0)

Lund excused at this time.

That SA to HB 493 be concurred in. (83-0)

That SA to HB 494 and Senate Amendments to HB 508 be passed for the day.

That SA to HB 498 be not concurred in. (82-0)

Waldron excused at this time.

That SA to HB 512 be concurred in. (81-0)

That SA to HB 513 be concurred in. (77-4)

That SA to HB 560 be concurred in. (67-11)

That SA to HB 565 be concurred in. (84-0)

That SA to HB 567 be passed for the day.

That SA to HB 577 be not concurred in. (83-0)

That SA to HB 585 be concurred in. (77-2)

That SA to HB 587 be concurred in. (72-6)

That SA to HB 588 be not concurred in. (64-22)

That SA to HB 589 be concurred in. (84-0)

That SA to HB 595 be not concurred in. (81-1)

That SA to HB 599 be concurred in. (58-27)

That SA to HB 617 be concurred in. (83-1)

That SA to HB 634 be concurred in. (83-0)

That SA to HB 638 be concurred in. (77-6)

That SA to HB 644 be concurred in. (72-10)

That SA to HB 647 be concurred in. (81-0)

That SA to HB 650 be concurred in. (78-1)

That SA to HB 659 be concurred in. (78-3)

That SA to HB 718 be concurred in. (80-0)

That SA to HB 719 be concurred in. (80-0)

That SA to HB 721 be not concurred in. (82-0)

That SA to HB 724 be concurred in. (82-0)

That SA to HB 735 be not concurred in. (79-3)

That SA to HB 738 be not concurred in. (83-0)

That SA to HB 745 be passed for the day.

That SA to HB 758 be passed for the day.

That SA to HB 760 be concurred in. (81-0)

That SA to HB 777 be passed for the day.

That SA to HB 787 be concurred in. (85-0)

That SA to HB 791 be concurred in. (80-4)

That SA to HB 795 be concurred in. (76-6)



That SA to HB 800 be concurred in. (63-19)  
That SA to HB 801 be concurred in. (85-0)  
That SA to HB 805 be concurred in. (83-1)  
That SA to HB 810 be concurred in. (83-0)  
That HJR 25 be passed for the day.  
That SA to HJR 32 be concurred in. (85-0)  
That SA to HJR 51 be concurred in. (83-2)  
That SA to HJR 59 be concurred in. (86-0)  
That SA to HJR 65 be passed for the day.  
That SA to HJR 71 be concurred in. (85-1)  
That SA to HJR 75 be concurred in. (87-0)  
That SA to HJR 79 be concurred in. (85-1)  
That SA to HB 29 be not concurred in. (89-0)  
That the committee rise and report. (Kvaalen, Chairman)

Holmes moved that Senate Amendments to HB 800 be segregated from the Committee of the Whole report and as amended be adopted. Motion carried.

### MESSAGES FROM THE OTHER HOUSE

4/11/77

Senate failed to concur in House Amendments to Senate Bill No. 65, and the President appointed the following Conference Committee, and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 65:

Senator Turnage, Chairman  
Senator Mathers  
Senator Healy

4/11/77

Senate failed to concur in House Amendments to Senate Bill No. 130, and the President appointed the following Conference Committee, and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 130:

Senator Himsl, Chairman  
Senator Fasbender  
Senator Blaylock

4/11/77

Senate failed to concur in House Amendments to Senate Bill No. 198, and the President appointed the following Conference Committee, and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 198:

Senator Flynn, Chairman  
Senator Murray  
Senator Roskie

### MOTIONS

Meloy moved that the Speaker be authorized to appoint conference

committees of three to meet with like committees from the Senate on House Amendments to the following bills: SB 65, SB 130 and SB 198. Motion carried.

Meloy moved that the Speaker be authorized to appoint conference committees of three to meet with like committees from the Senate on Senate Amendments to the following bills: HB 498, HB 577, HB 595. Motion carried.

Meloy moved that the Speaker be authorized to appoint free conference committees of three to meet with like committees from the Senate on the following bills: HB 29, HB 588 and HB 735. Motion carried.

Meloy moved that the Speaker be authorized to appoint conference committees of three to meet with like committees from the Senate on Senate Amendments to HB 721 and HB 738. Motion carried.

Scully moved that HB 567 be rereferred from Second Reading to the Committee on Rules. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following new free conference committee of three to meet with a like committee from the Senate on HB 4: Kessler, Chairman; Frates and Ellerd.

The Speaker appointed the following free conference committees of three to meet with like committees from the Senate on the following:

- HB 29: Bengtson, Chairman; Uhde and Marks;
- HB 588: Harper, Chairman; Shelden and Ellis;
- HB 735: Williams, Chairman; Huennekens and Fedas;

The Speaker appointed the following conference committees of three to meet with like committees from the Senate to confer on Senate Amendments to:

- HB 498: Scully, Chairman; Kenny and Lory;
- HB 577: Conroy, Chairman; Meloy and Bertelsen;
- HB 595: Metcalf, Chairman; Courtney and Fagg;
- SB 37: Harper, Chairman; Tropila and Ramirez;
- SB 65: Williams, Chairman; O'Connell and Underdal;
- SB 130: Vincent, Chairman; Hirsch and Bertelsen;
- SB 198: Shelden, Chairman; Day and Eudaily.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 484 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gilligan, Gould, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Huennekens.

Total 1

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Bardanouve, Colburn, Dussault, Ellerd, E. Gunderson, J. Gunderson, Jensen, Lory, Tower.

Total 9

Senate Amendments to House Bill No. 485 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Smith, Stobie.

Total 2

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Jensen, Marks, South.

Total 4

Senate Amendments to House Bill No. 487 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Cox, Kenny, Nathe, Porter, Roth, Smith, Stobie.

Total 7

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Jensen, Marks.

Total 3



Senate Amendments to House Bill No. 492 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Jensen, Marks, Roth.

Total 4

Senate Amendments to House Bill No. 493 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Jensen, Marks.

Total 3

Senate Amendments to House Bill No. 512 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane,



Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Jensen, Marks, Severson.

Total 4

Senate Amendments to House Bill No. 513 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Jensen, Marks.

Total 3

Senate Amendments to House Bill No. 560 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cox, Curtiss, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedra, Gilligan, Gould, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Menahan, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 72

Noes: Bardanouve, Cooney, Courtney, Dassinger, Dussault, Estenson, Frates, E. Gunderson, J. Gunderson, Hansen, Huennekens, Kimble, Meloy, Metcalf, Robbins, Shelden, Staigmiller, Vincent.

Total 18

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Jensen, Kessler, Marks, O'Connell.

Total 5

Senate Amendments to House Bill No. 565 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Hurwitz.

Total 1

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Frates, Jensen, Johnston, O'Connell.

Total 6

Senate Amendments to House Bill No. 585 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Cox, Hand, Hansen, Smith, Stobie.

Total 5

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen, O'Connell, Roth.

Total 5

Senate Amendments to House Bill No. 587 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson,

Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Frates, Lory.

Total 2

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen, Roth.

Total 4

Senate Amendments to House Bill No. 589 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.

Total 87

Noes: Hansen, Smith, Stobie, Wood.

Total 4

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen, Roth.

Total 4

Senate Amendments to House Bill No. 599 were concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Dassinger, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Lien, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Turner, Uhde, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.

Total 78

Noes: Ageson, Barrett, Cox, Curtiss, Ellerd, Hurwitz, Keyser, Kvaalen, McLane, Porter, Tropila, Underdal, Wood.

Total 13



Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen, Lory.

Total 4

Senate Amendments to House Bill No. 617 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen, Wood.

Total 4

Senate Amendments to House Bill No. 634 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 638 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss,



Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.  
Total 85

Noes: Hurwitz, Porter, Ramirez, Smith, Stobie, Wood.  
Total 6

Excused: Brand, Davis, Gerke, Lund, Waldron.  
Total 5

Absent or not voting: Colburn, Dussault, Jensen, Severson.  
Total 4

Senate Amendments to House Bill No. 644 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 86

Noes: Nathe, Porter, Smith, Stobie, Tower, Uhde.  
Total 6

Excused: Brand, Davis, Gerke, Lund, Waldron.  
Total 5

Absent or not voting: Colburn, Dussault, Jensen.  
Total 3

Senate Amendments to House Bill No. 647 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 650 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 659 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, Smith, South, Staigmillier, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Stobie, Tower.

Total 2

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen, Severson.

Total 4

Senate Amendments to House Bill No. 718 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson,

Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 719 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 724 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.



Total 90

Noes: Burnett, Smith.

Total 2

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 760 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Bertelsen, Smith.

Total 2

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 787 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Nathe.

Total 1

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Bardanouve, Colburn, Dussault, Jensen, Stobie.

Total 5

Senate Amendments to House Bill No. 791 were concurred in by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Ellerd, Ellis, Ellison, Ernst, Estenson, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Day, Eudaily, Uhde.

Total 3

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 795 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Staigmiller, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Severson, Smith, Stobie, Teague.

Total 4

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 801 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South,

Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 805 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Bill No. 810 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Joint Resolution No. 32 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Joint Resolution No. 51 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Sivertsen, Smith, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Hand, Moore, Ryan.

Total 3

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen, Shelden.

Total 4

Senate Amendments to House Joint Resolution No. 59 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler,



Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Joint Resolution No. 71 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen.

Total 3

Senate Amendments to House Joint Resolution No. 75 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0



Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen, Marks.

Total 4

Senate Amendments to House Joint Resolution No. 79 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: J. Gunderson.

Total 1

Excused: Brand, Davis, Gerke, Lund, Waldron.

Total 5

Absent or not voting: Colburn, Dussault, Jensen, Marks, Stobie.

Total 5

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/11/77

Correctly enrolled - HJR 90.

Examined by Sponsor and found to be correct - HJR 90.

Will be signed by the Speaker on adjournment, 4/11/77 - HJR 90.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

4/11/77

Recommend that at the close of business March 18, 1977, the following be terminated:

Rae Haas.....Researcher

At the close of business April 8, 1977, the following also be terminated:

Minna Miller .....Subcommittee Secretary

At the close of business April 9, 1977, the following also be terminated:

Rita Tenneson .....Subcommittee Secretary

At the close of business April 11, 1977, the following also be terminated:

Cynthia Sangray .....Committee Secretary

Report adopted.

TAXATION (Huennekens, Chairman):

4/11/77

SJR 44, be concurred in. Report adopted.

SB 44, be amended in the third reading copy, as follows:

1. Amend page 2, section 1, line 15.

Following: "mined,"

Strike: "1%"

Insert: "2%"

2. Amend page 2, section 1, lines 18 and 19.

Following: "(determine)"

Strike: "maintenance and construction of highways, roads, streets, or alleys"

Insert: "such purposes as the governing body of the county may determine"

3. Amend page 3, section 1, line 7.

Following: "(year)"

Strike: "13%"

Insert: "12%"

4. Amend page 3, section 1, line 19.

Following: line 18

Strike: "and the earmarked revenue fund to be allocated between"

Insert: "to the credit of"

5. Amend page 3, section 3, lines 20 and 21.

Following: "account"

Strike: "and the coal utilization research account as prescribed by 89-3607(.):"

Insert: ","

6. Amend page 4, section 1, line 9.

Following: "subsection"

Strike: "(g)"

Insert: "(h)"

7. Amend page 4, section 3, line 11.

Following: "62-304"

Strike: " "

Insert: ","

8. Amend page 4, section 1, line 15.

Following: "((10))"

Strike: "(h)"

Insert: "(i)"

9. Amend page 13, section 8, lines 1-20.

Following: page 12

Strike: section 8 in its entirety

Renumber: subsequent sections

10. Amend page 13, section 9, lines 23 and 24.

Following: "account"

Strike: "—coal utilization research account"

11. Amend page 15, section 9, line 10.

Following: "((2 ½%))"

Strike: "1 ½%"

Insert: "2 ½%"

12. Amend page 15, section 9, line 20.

Following: "((2 ½%))"

Strike: "1 ½%"

Insert: "2 ½%"

13. Amend page 15, section 9, lines 23-25 and page 16, lines 1-4.

Following: line 22

Strike: subsection (5) in its entirety

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

JUDICIARY (Scully, Chairman):

4/11/77

SJR 28 be concurred in. Report adopted.

Objection raised by Fabrega on 4/11/77 on adverse committee report on SB 193. Referred to Second Reading.

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE

#### ON HOUSE BILL NO. 4

Report No. 1, April 11, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 4, met April 11, 1977, and considered:

Senate Committee on Judiciary Amendments dated March 11, 1977,

Senate Committee of the Whole Amendments dated March 14, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 11, 1977,

That the House accede to amendments 1, 2, and 3.

Having had under consideration Senate Committee of the Whole Amendments dated March 14, 1977,

That the Senate recede from amendment number 1, which reads as follows:

1. Amend page 3, section 3, lines 18 and 19.

Following: "act"

Strike: "are to be filled initially in the same manner as judicial vacancies are filled"

Insert: "shall be filled initially at the 1978 general election"

And further that House Bill No. 4, third reading bill, be amended as follows:

1. Amend page 3, section 3, line 18.

Following: "act"

Strike: "are to be filled initially in the same manner as judicial vacancies are filled"

Insert: "shall be filled initially as follows: the additional judgeship in the eighteenth judicial district shall be filled in the 1978 state general election and shall take office on January 1, 1979. The additional judgeship in the thirteenth district and the new judgeship in the nineteenth judicial district shall be appointed by the governor under the provisions of 93-705 through 93-717. The judgeships herein providing for initial appointment by the governor shall be filled by election in 1978"

And that the Conference Committee Report on House Bill No. 4 be adopted.

FOR THE HOUSE:

KESSLER  
FRATES  
ELLERD

FOR THE SENATE:

TURNAGE  
ROBERTS  
BOYLAN

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 150  
Report No. 1, April 11, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 150, met April 11, 1977, and considered:

Senate Committee on State Administration Amendments dated March 16, 1977, and recommend as follows:

Having had under consideration Senate Committee on State Administration Amendments dated March 16, 1977,

That the Senate recede from amendment numbers 2, 3 and 4, reading as follows:

2. Amend page 2, section 2, lines 20 and 21.

Following: "trustees,"

Strike: "5 shall be professionals. One of the professionals shall be an archeologist"

Insert: "one shall be a recognized historian"

3. Amend page 2, section 2, line 24.

Following: "appoint"

Strike: "these professionals"

Insert: "a recognized historian"

4. Amend page 2, section 2, line 25.

Following: "as"

Strike: "vacancies"

Insert: "a vacancy shall"

And further that the House accede to amendment number 1,

And further that House Bill No. 150, third reading bill, be amended as follows:

1. Amend page 2, section 2, subsection (2), lines 20 and 21.

Following: "trustees,"

Strike: "5 shall be professionals. One of the professionals shall be an archeologist"

Insert: "at least one shall be a recognized historian and at least one shall be a recognized archeologist"

And that the Conference Committee Report on House Bill No. 150 be adopted.

FOR THE HOUSE:

BRADLEY  
ESTENSON  
FAGG

FOR THE SENATE:

WARDEN  
RASMUSSEN  
BROWN

Report adopted.

## MESSAGES FROM THE OTHER HOUSE

Bill on Committee of the Whole, recommended that



further action be indefinitely postponed,  
report adopted, and returned to the House: 4/11/77

House Bill No. 195, introduced by Lynch, Menahan, et al

Senate, on motion, requests the return of House  
Bill No. 263 for further consideration. 4/11/77

House Amendments to the following Senate Bill  
were concurred in by the Senate: 4/11/77

House Amendments to Senate Bill No. 367, introduced by Devine (by  
request)

Bill passed by the Senate and transmitted  
to the House for concurrence: 4/11/77

Senate Bill No. 448, introduced by Blaylock

Senate acceded to the request of the House and authorized the President  
to appoint the following New Free Conference Committee to meet  
with a like committee from the House to confer on House Bill No.  
4:

Senator Turnage, Chairman  
Senator Roberts  
Senator Boylan

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House joint resolution was introduced, read first time and  
referred to committee:

HJR 104, introduced by Fagg, Meloy. Referred to Committee on Rules.

The following Senate bill was introduced, read first time and referred  
to committee:

SB 448, introduced by Blaylock. Referred to Committee on Education.

### UNFINISHED BUSINESS

The Speaker appointed the following conference committees of three to  
meet with like committees from the Senate on Senate Amendments to  
the following:

HB 721: Scully, Chairman; Courtney and Keyser;  
HB 738: Meloy, Chairman; Dussault and Lory.

Meloy moved that the House adjourn until 1:30 p.m., April 12, 1977.

Motion carried.

House adjourned at 6:55 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## EIGHTY-FOURTH LEGISLATIVE DAY

Helena, Montana  
April 12, 1977

House Chambers  
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Davis, Lund, Wood, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker on adjournment, 4/12/77 - HB 447, HB 455, HB 488, HB 547, HB 635, HB 769, HJR 83, HJR 84, SB 182.

Was signed by the Speaker on adjournment, 4/11/77 - HJR 90.

Examined by Sponsors and found to be correct - HB 488, HB 547, HJR 84.

APPROPRIATIONS (Bardanoue, Chairman): 4/12/77  
HB 834, second reading bill, be amended as follows:

1. Amend page 2, section 2, line 3.

Following: "1977."

Insert: "The employee will advance one step on the employee's anniversary date as determined by the department of administration."

2. Amend page 2, section 2, line 12.

Following: "1978."

Insert: "The employee will advance one step on the employee's anniversary date as determined by the department of administration."

3. Amend pages 2 through 4, section 3, line 15 on page 2 through line 24 on page 4.

Following: line 14

Strike: line 15 on page 2 through line 24 on page 4 in their entirety

Insert: (see attachment 1)

4. Amend pages 5 through 7, section 4, line 2 on page 5 through line 11 on page 7.

Following: line 1

Strike: line 2 on page 5 through line 11 on page 7 in their entirety

Insert: (see attachment 2)

5. Amend page 9, section 6, lines 12 and 13.

Following: "absence"

Strike: "not exceeding 3 months or by military service"

And as amended, do pass. Report adopted.

HB 838, do pass. Report adopted.

SJR 42, be concurred in. Report adopted. 4/11/77

LOCAL GOVERNMENT (Robbins, Chairman): 4/12/77

SB 445, be concurred in. Report adopted.

**PUBLIC HEALTH, WELFARE AND SAFETY** (Menahan,  
4/12/77)

HJR 103, do pass. Report adopted.

**RULES** (Meloy, Chairman):

4/12/77

HB 567, the amendments at lines 15 and 16 and the amendments at lines 18 and 19 on page 2 of the bill go beyond the scope of the title and beyond the scope of the original intent of the bill, and are therefore out of order, and that the bill be referred to second reading for nonconcurrence in Senate Judiciary Committee amendments.

Do pass. Report adopted.

SB 192, Representative Gerke's committee of the whole amendments to Senate Bill 192 go beyond the scope of the title and are therefore out of order.

And as amended, be concurred in. Report adopted.

HJR 104, do pass. Report adopted.

**MESSAGES FROM THE GOVERNOR**

April 12, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that on April 11, 1977, I approved House Bill Nos. 283 and 284.

Sincerely,

THOMAS L. JUDGE  
Governor

April 12, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that on April 11, 1977, I approved Senate Bill No. 118.

Sincerely,

THOMAS L. JUDGE  
Governor

**MESSAGES FROM THE OTHER HOUSE**

Bill, on 4/7/77, concurred in as amended  
by the Senate and returned to the House  
for concurrence in Senate Amendments:

4/12/77

House Bill No. 762, introduced by Bradley, South



Bill, on 4/7/77, concurred in as amended  
by the Senate and returned to the House  
for concurrence in Senate Amendments: 4/11/77

House Bill No. 491, introduced by Hansen (by request)

Resolutions passed by the Senate and transmitted  
to the House for concurrence: 4/11/77

Senate Joint Resolution No. 48, introduced by Graham (by request)

Senate Joint Resolution No. 49, introduced by Dover, Story, Galt, et al

4/11/77  
Free Joint Conference Committee Report on Senate Bill No. 203 was  
adopted by the Senate on roll call vote.

### MOTIONS

Vincent moved that consideration of House Bill 31 be postponed until  
the 86th Legislative Day. Motion carried.

Gerke moved that the House reconsider its action in not concurring in  
the Governor's Amendments on SB 199 on Second Reading. Motion carried.

Meloy moved that SB 448 be rereferred from the Committee on Education  
to the Committee on Rules. Motion carried.

Meloy moved that the rules be suspended for introduction of a bill to  
correct an engrossing error. Motion carried.

Meloy moved that the rules be suspended to permit the introduction  
of SB 166 (refer to the Committee on Labor and Employment Relations)  
and SB 447 (refer to the Committee on Education). Ryan requested the  
motion be divided. Thereupon the motion carried on SB 166. Lacking  $\frac{2}{3}$   
majority, the motion failed on SB 447.

Huennekens moved that SB 206 be rereferred from the Committee on  
Business and Industry to Second Reading and that the ayes and noes be  
spread upon the journal. Sufficient seconds arose. Tropila moved to lay  
Huennekens' motion on the table. The Speaker ruled Tropila's motion out  
of order as Huennekens' motion was a procedural motion. Lien moved the  
previous question. Thereupon Huennekens' motion failed by the following  
roll call vote:

Ayes: Bardanouve, Bengtson, Bradley, Day, Dussault, Estenson, Fabrega,  
Fagg, Frates, E. Gunderson, Harper, Hirsch, Huennekens, Kessler, Lien,  
Manuel, Meloy, Metcalf, Moore, Palmer, Porter, Ramirez, South, Tower,  
Turner, Uhde, Underdal, Vincent, Waldron, Williams.  
Total 30

Noes: Aageson, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Colburn,  
Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Ellis, Ellison, Ernst,  
Eudaily, Feda, Gilligan, Gould, J. Gunderson, Halvorson, Hand, Hansen,  
Harrington, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly,  
Kenny, Keyser, Kimble, Kropp, Kvaalen, Lory, Lynch, McLane, Marks,  
Menahan, Meyer, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Quilici,  
Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith,  
Staigmillier, Stobie, Teague, Tropila, Vinger, Wyrick, Mr. Speaker.  
Total 64

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Burnett, Ellerd, Gerke.

Total 3

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate joint resolutions were introduced, read first time and referred to committees:

SJR 48, introduced by Committee on Agriculture, Livestock and Irrigation; Graham, Chairman. Referred to Committee on Rules.

SJR 49, introduced by Dover, Story, Galt, Thiessen, Jergeson, Mathers, McCallum, E. Smith, Kolstad, Flynn, Lee, Bergren, Boylan, Graham, Manley. Referred to Committee on Rules.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 97 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennkens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Ellerd, Fagg, Meloy, Pistoria, Vinger.

Total 5

House Joint Resolution No. 98 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennkens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 81

Noes: Burnett, Cox, Ellison, Harper, Keyser, Mular, Roth, Smith, Wyrick.

Total 9

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Ellerd, Ernst, Fagg, Halvorson, Kropp, Scully, Stobie.

Total 7

House Joint Resolution No. 99 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 92

Noes: Cox.

Total 1

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Ellerd, Fagg, Halvorson, Mular.

Total 4

Senate Bill No. 107 was concurred in by the following vote:

Ayes: W. Baeth, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Dassinger, Dussault, Ellis, Estenson, Eudaily, Fabrega, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, Marks, Meloy, Menahan, Metcalf, Meyer, O'Keefe, Palmer, Porter, Quilici, Ramirez, Shelden, South, Staigmillar, Tower, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 59

Noes: Aageson, R. Baeth, Bardanouve, Barrett, Bengtson, Curtiss, Day, Ellison, Feda, Gould, Hand, Hansen, Johnston, Kenny, McLane, Manuel, Moore, Mular, Nathe, Pistoria, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, Stobie, Teague, Tropila, Vinger, Wyrick.

Total 32

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Ellerd, Ernst, Fagg, Kropp, O'Connell, Scully.

Total 6

Senate Bill No. 233 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly,



Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, South, Staigmler, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 77

Noes: Bardanouve, Colburn, Curtiss, Day, Hansen, Hurwitz, Jensen, Moore, Nathe, Pistoria, Ryan, Smith, Stobie, Teague, Tower, Turner, Wyrick.

Total 17

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Ellerd, Fagg, Scully.

Total 3

Senate Bill No. 309 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmler, Stobie, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick.

Total 86

Noes: Hansen, Nathe, Roth, Smith, Teague, Turner, Uhde, Mr. Speaker.

Total 8

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Ellerd, Scully, Tower.

Total 3

Senate Bill No. 363 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmler, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Davis, Lund, Wood.

Total 3



Absent or not voting: Ellerd, Scully, Tower.

Total 3

Senate Joint Resolution No. 29 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 86

Noes: Colburn, Ellison, Moore, Smith, Stobie, Teague, Vinger.

Total 7

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Ellerd, Gerke, Mular, Tower.

Total 4

Senate Joint Resolution No. 43 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 84

Noes: Colburn, Cox, Dussault, Ellison, Feda, Moore, Roth, Smith, Stobie, Teague, Vinger.

Total 11

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Ellerd, Tower.

Total 2

Senate Joint Resolution No. 45 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Curtiss, Dassinger, Day, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth,

Ryan, Scully, Seifert, Severson, Sivertsen, Smith, South, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wyrick, Mr. Speaker.  
Total 72

Noes: W. Baeth, Brand, Burnett, Colburn, Cooney, Courtney, Cox, Dussault, Ellis, Fagg, Frates, Gerke, Gould, Harper, Harrington, Jensen, Kessler, Metcalf, Mular, Quilici, Staigmiller, Teague, Waldron.  
Total 23

Excused: Davis, Lund, Wood.  
Total 3

Absent or not voting: Ellerd, Shelden.  
Total 2

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Bertelsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 4 be adopted. (79-15)

That the Conference Committee Report on HB 150 be adopted.  
(80-7)

That the Conference Committee Report on HB 612 be adopted.  
(87-0)

That the Governor's Amendments to SB 269 be concurred in. (80-0)

That HB 446 be amended as follows:

1. Amend title, line 7.

Following: line 6

Insert: "to require a self-government powers local government to obtain approval of rates from the public service commission;"

2. Amend title, line 8.

Following: "16-4526,"

Insert: "47A-7-204,"

3. Amend page 15, section 7, line 5.

Following: line 4

Insert: "Section 8. Section 47A-7-204, R.C.M. 1947, is amended to read as follows:

'47A-7-204. Mandatory provisions. A local government unit with self-government powers is subject to the following provisions. These provisions are a prohibition on the self-government unit acting other than as provided:

(1) All state laws providing for the incorporation or disincorporation of cities and towns, for the annexation, disannexation or exclusion of territory from a city or town, for the creation, abandonment or boundary alteration of counties and for city-county consolidation;

- (2) Title 16, chapter 51;
- (3) All laws establishing legislative procedures or requirements for units of local government;
- (4) All laws regulating the election of local officials;
- (5) All laws which require or regulate planning or zoning;
- (6) Any law directing or requiring a local government or any officer or employee of a local government to carry out any function or provide any service;
- (7) Any law regulating the budget, finance or borrowing procedures and powers of local governments, except that the mill levy limits established by state law shall not apply;
- (8) Title 93, chapter 99(.);
- (9) The provisions of (this act)\* requiring approval of rates by the public service commission."

Renumber: subsequent sections (70-17)

(Material in parentheses denotes cancelled type.)

\*(Material in parentheses denotes information bracketed by compiler.)

And as amended, do not pass. (63-31)

That SB 44 be amended as follows:

1. Amend page 3, section 1, line 25 through line 1 on page 4.  
Following: "acquisition,"  
Strike: ", operation, or maintenance"  
Following: "62-304,"  
Insert: ", and the operation and maintenance of sites so acquired,"
2. Amend page 4, section 1, line 10.  
Following: "acquisition"  
Strike: ", operation or maintenance"
3. Amend page 4, section 1, line 11.  
Following: "62-304"  
Insert: ", and the operation and maintenance of sites so acquired" (76-17)

And be further amended:

4. Amend page 3, section 1, line 1.  
Following: line 25 on page 2  
Strike: "27 1/2%"  
Insert: "26 1/2%"

And further amend house committee on taxation amendments to SB 44 as follows:

5. Amend amendment no. 3.  
Strike: amendment no. 3 in its entirety (58-32)

And as amended, be concurred in. (85-1)

That SB 155 be concurred in. (49-42)

That SB 167 be concurred in. (74-20)

That SB 193 be amended as follows:

1. Amend page 1, section 1, line 22.

Following: "1978."

Insert: "Provided, however, the aforementioned fees shall be considered property taxes for purposes of section 84-3514 only." (80-2)

And as amended, be not concurred in. (59-35)

That the committee rise and report. (Bertelsen, Chairman)

Pistoria moved that HB 446 be segregated from the Committee of the Whole report and as amended be adopted. Motion failed. Thereupon report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/12/77

Correctly printed - HB 31, HJR 102.

Considered correctly engrossed - HJR 100.

Correctly enrolled - HB 5, HB 147, HB 280, HB 340, HB 360, HB 384, HB 415, HB 447, HB 455, HB 488, HB 547, HB 635, HB 769, HB 805, HJR 51, HJR 83, HJR 84.

Examined by Sponsors and found to be correct - HB 447, HB 455, HB 635, HB 769, HJR 83.

## REPORTS OF SELECT COMMITTEES

### JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 182

Report No. 1, April 12, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 182, met April 12, 1977, and considered:

Senate Committee on State Administration Amendments, dated March 16, 1977, and recommend as follows:

Having had under consideration Senate Committee on State Administration Amendments dated March 16, 1977,

That the Senate recede from amendment number 3, which reads as follows:

3. Amend page 2, section 1, lines 12 and 13.

Following: "exceed"

Strike: "seventy dollars (\$70)"

Insert: "\$50"

And further that the House accede to amendments 1 and 2,

And that the Conference Committee Report on House Bill No. 182 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

BRADLEY  
FAGG

BLAYLOCK  
STORY

Report adopted.



FREE JOINT CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 101  
Report No. 1, April 8, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met April 8, 1977, and considered:

House Committee on Judiciary Amendments dated March 11, 1977,  
House Committee of the Whole Amendments dated March 19, 1977, and recommend as follows:

Having had under consideration House Committee on Judiciary Amendments dated March 11, 1977,

That the House recede from amendment numbers 1 and 2, reading as follows:

1. Amend title, line 6.  
Following: "by"  
Strike: "a legislator"  
Insert: "legislators"
2. Amend page 1, section 1, line 22.  
Following: "any"  
Strike: "five"  
Insert: "fifteen"

And further that the Senate accede to amendment numbers 3, 4, and 5.

Having had under consideration House Committee of the Whole Amendments dated March 19, 1977,

That the House recede from amendment numbers 1, 2, 4, 5, 6, 8, and 9, which read as follows:

1. Amend title, line 6.  
Following: "by"  
Strike: "legislators"  
Insert: "the administrative code committee"
2. Amend page 1, section 1, line 18.  
Following: "Section 1."  
Strike: "Legislator's"
4. Amend page 1, section 1, line 22.  
Following: "if"  
Strike: "any fifteen legislators"  
Insert: "the administrative code committee of the legislature"
5. Amend page 1, section 1, line 23.  
Following: "session"  
Strike: "object"  
Insert: "objects"
6. Amend page 1, section 1, line 24.  
Following: "forth"  
Insert: "specific"  
Following: "for"  
Strike: "their"  
Insert: "its"
8. Amend page 2.  
Following: line 18  
Insert: "Section 3. Grounds for objections. Objections by the admin-

istrative code committee shall be limited to failure of the rule to comply with legislative intent or failure of the agency to comply with the provisions of the Montana Administrative Procedure Act in adopting the rule."

Renumber: subsequent section

9. Amend page 2, section 3, line 22.

Following: "filed"

Insert: "by the administrative rules committee"

And further, that the Senate accede to amendment numbers 3, 7, 10, and 11,

And further, that Senate Bill No. 101, third reading copy, be amended as follows:

1. Amend page 1, section 1, line 22.

Following: "any"

Strike: "five legislators"

Insert: "ten members of the House of Representatives and five members of the Senate"

2. Amend page 1, section 1, line 24.

Following: "forth"

Insert: "specific"

3. Amend page 2.

Following: line 18

Insert: "Section 3. Grounds for objections. Objections by legislators shall be limited to failure of the rule to comply with legislative intent or failure of the agency to comply with the provisions of the Montana Administrative Procedure Act in adopting the rule."

Renumber: subsequent section

4. Amend page 3, section 3, line 2.

Following: "one"

Strike: "bill"

Insert: "joint resolution"

And that the free conference committee report on Senate Bill No. 101 be adopted.

FOR THE SENATE:

JERGESON, Chairman

BROWN

MURPHY

FOR THE HOUSE:

TEAGUE, Chairman

DUSSAULT

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bills and Resolutions concurred in by the Senate  
and returned to the House:

4/12/77

House Bill No. 55, introduced by Marks

House Bill No. 105, introduced by Fabrega, Ellis, et al (by request)

House Bill No. 837, introduced by Brand

House Joint Resolution No. 88, introduced by Lund, Bardanouve, et al

House Joint Resolution No. 92, introduced by Gould, Roth, et al

Bill on Committee Report, not concurred in by

the Senate, report adopted, and returned  
to the House:

4/12/77

House Bill No. 592, introduced by Meloy

House Amendments to the following Bills  
and Resolutions concurred in  
by the Senate:

4/12/77

House Amendments to Senate Bill No. 71, introduced by State Adminis-  
tration Committee (Towe, Chairman)

House Amendments to Senate Bill No. 124, introduced by Graham (by  
request)

House Amendments to Senate Bill No. 135, introduced by Roberts (by  
request)

House Amendments to Senate Bill No. 162, introduced by Himsl,  
Thiessen, et al

House Amendments to Senate Bill No. 170, introduced by Turnage,  
Hazelbaker, Boylan

House Amendments to Senate Bill No. 177, introduced by Dunkle,  
Goodover, et al

House Amendments to Senate Bill No. 306, introduced by Lee, Healy,  
et al

House Amendments to Senate Bill No. 333, introduced by Etchart,  
McCallum, et al

House Amendments to Senate Bill No. 345, introduced by Lowe,  
Mathers, et al

House Amendments to Senate Bill No. 425, introduced by Boylan (by  
request)

House Amendments to Senate Joint Resolution No. 25, introduced by  
Boylan, Kolstad, et al

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized  
the President to appoint the following Free Conference Committee to  
meet with a like committee of the House to confer on House Bill No.  
735:

Senator Norman, Chairman  
Senator Lockrem  
Senator Mathers

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized  
the President to appoint the following Conference Committee to meet  
with a like committee of the House to confer on Senate Amendments  
to House Bill No. 738:

Senator Towe, Chairman  
Senator Warden  
Senator Story

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized  
the President to appoint the following Conference Committee to meet

with a like committee of the House to confer on Senate Amendments to House Bill No. 302:

Senator Blaylock, Chairman  
Senator Rasmussen  
Senator Roskie

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 326:

Senator Regan, Chairperson  
Senator Olson  
Senator Towe

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 334:

Senator Regan, Chairperson  
Senator Lensink  
Senator Murray

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 411:

Senator Murray, Chairman  
Senator Lensink  
Senator Regan

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 462:

Senator Jergeson, Chairman  
Senator Rasmussen  
Senator Bergren

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 498:

Senator Roberts, Chairman  
Senator Towe  
Senator Murray

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 577:



Senator Roskie, Chairman  
Senator Jergeson  
Senator Rasmussen

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 588:

Senator Roskie, Chairman  
Senator Manley  
Senator Galt

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 721:

Senator Murray, Chairman  
Senator Lensink  
Senator Regan

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 245:

Senator Lee, Chairman  
Senator Lockrem  
Senator Ed Smith

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 263:

Senator R. Smith, Chairman  
Senator McCallum  
Senator Lee

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 29:

Senator Kolstad, Chairman  
Senator Jergeson  
Senator Stephens

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 70:

Senator Mathers, Chairman  
Senator Fasbender  
Senator Goodover

4/12/77

Senate acceded to the request of the House dated 4/11/77, and authorized the President to appoint the following Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 90:

Senator Jergeson, Chairman

Senator Story

Senator R. Smith

### MOTIONS

Menahan moved that the rules be suspended to allow for introduction of a bill by the Committee on Public Health, Welfare and Safety. Motion carried.

Scully moved that the vote taken on SB 206 on the 82nd Legislative Day be recorded in the journal. Motion carried. Huennekens' motion of 4/9/77 that SB 206 be referred from the Committee on Business and Industry to Second Reading failed by the following vote:

Ayes: Bardanouve, Bradley, Day, Dussault, Ernst, Fabrega, Frates, Harper, Hirsch, Holmes, Huennekens, Jensen, Kimble, Lien, Manuel, Meloy, Metcalf, Meyer, Moore, O'Keefe, Porter, Ramirez, Scully, South, Tower, Turner, Waldron, Williams, Wyrick.

Total 29

Noes: Aageson, R. Baeth, W. Baeth, Barrett, Bertelsen, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellis, Ellison, Estenson, Eudaily, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harrington, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kvaalen, Lory, Lund, Lynch, McLane, Marks, Menahan, Mular, Nathe, O'Connell, Palmer, Pistoria, Quilici, Roth, Ryan, Shelden, Smith, Staigmiller, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Wood, Mr. Speaker.

Total 60

Paired: Scully, Aye; Teague, No.

Excused: Bengtson, Burnett, Fagg, Feda, Seifert, Severson, Sivertsen.

Total 7

Absent or not voting: Colburn, Gerke, Kropp, Robbins.

Total 4

Vincent moved that SB 167 be rereferred from Third Reading to the Committee on Taxation. Motion carried.

Brand moved that the rules be suspended to allow the introduction of a resolution on the Panama Canal. Motion failed.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

HB 839, introduced by J. Gunderson. Referred to Committee on Rules.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Conference Committee Report on HB 4 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, McLane, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Mr. Speaker.

Total 75

Noes: Brand, Burnett, Ernst, Feda, Gould, Kropp, Lynch, Marks, Moore, Quilici, Vinger, Wyrick.

Total 12

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Colburn, Ellerd, Ellison, J. Gunderson, Halvorson, Harper, Kvaalen, Meyer, Smith, Williams.

Total 10

The Conference Committee Report on HB 150 was adopted by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Lien, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Shelden, Sivertsen, South, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Wyrick, Mr. Speaker.

Total 80

Noes: R. Baeth, Ellison, Kenny, McLane, Staigmilller, Teague, Vinger.

Total 7

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Colburn, Ellerd, Halvorson, Harper, Kropp, Kvaalen, Ryan, Severson, Smith, Williams.

Total 10

The Conference Committee Report on HB 612 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Shelden, Sivertsen, South,

Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Wyrick, Mr. Speaker.

Total 87

Noes: Bardanouve.

Total 1

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Colburn, Ellerd, Halvorson, Harper, Kvaalen, Ryan, Severson, Smith, Williams.

Total 9

The Governor's Amendments to SB 269 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Wyrick, Mr. Speaker.

Total 87

Noes: Roth, Stobie, Uhde.

Total 3

Excused: Davis, Lund, Wood.

Total 3

Absent or not voting: Colburn, Ellerd, Feda, Halvorson, Kvaalen, Smith, Williams.

Total 7

Meloy moved that the House adjourn until 9:30 a.m., April 13, 1977.

Motion carried.

House adjourned at 6:40 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## Attachment 1

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13
1.0			5,206	5,323	5,410	5,498	5,611	5,725	5,846	5,968	6,047	6,128	6,209
2.0	5,377	5,498	5,611	5,725	5,846	5,968	6,094	6,222	6,349	6,477	6,564	6,651	6,738
3.0	5,836	5,968	6,094	6,222	6,349	6,477	6,617	6,759	6,900	7,041	7,133	7,228	7,329
4.0	6,334	6,477	6,617	6,759	6,900	7,041	7,189	7,336	7,497	7,658	7,766	7,872	7,980
5.0	6,885	7,041	7,189	7,336	7,497	7,658	7,826	7,994	8,168	8,342	8,457	8,570	8,691
6.0	7,488	7,658	7,826	7,994	8,168	8,342	8,523	8,705	8,893	9,081	9,208	9,336	9,463
7.0	8,156	8,342	8,523	8,705	8,893	9,081	9,282	9,483	9,691	9,900	10,040	10,181	10,322
8.0	8,878	9,081	9,282	9,483	9,691	9,900	10,121	10,342	10,570	10,798	10,953	11,108	11,261
9.0	9,678	9,900	10,121	10,342	10,570	10,798	11,040	11,282	11,530	11,778	11,946	12,114	12,289
9.5	10,117	10,349	10,580	10,812	11,050	11,289	11,540	11,792	12,057	12,321	12,496	12,670	12,853
10.0	10,556	10,798	11,040	11,282	11,530	11,778	12,040	12,302	12,583	12,865	13,046	13,227	13,416
10.5	11,037	11,291	11,540	11,793	12,057	12,321	12,598	12,875	13,165	13,459	13,650	13,839	14,037
11.0	11,513	11,778	12,040	12,302	12,583	12,865	13,153	13,442	13,744	14,046	14,248	14,449	14,657
11.5	12,044	12,321	12,598	12,875	13,165	13,459	13,758	14,060	14,376	14,691	14,904	15,115	15,334
12.0	12,575	12,865	13,153	13,442	13,744	14,046	14,361	14,677	15,006	15,335	15,557	15,778	16,006
12.5	13,155	13,459	13,758	14,060	14,376	14,691	15,023	15,357	15,700	16,047	16,277	16,509	16,745
13.0	13,729	14,046	14,361	14,677	15,006	15,335	15,684	16,033	16,395	16,757	16,999	17,240	17,489
14.0	14,988	15,335	15,670	16,006	16,342	16,676	17,012	17,348	17,684	18,019	18,355	18,690	18,857
15.0	16,378	16,757	17,093	17,429	17,764	18,099	18,435	18,770	19,106	19,442	19,777	20,112	20,280
16.0	17,912	18,327	18,663	18,999	19,334	19,670	20,005	20,341	20,676	21,012	21,348	21,682	21,850
17.0	19,578	20,032	20,367	20,703	21,039	21,374	21,710	22,046	22,380	22,716	23,052	23,387	23,555
18.0	21,413	21,911	22,246	22,582	22,918	23,253	23,588	23,924	24,259	24,595	24,931	25,267	25,433
19.0	23,433	23,978	24,314	24,648	24,984	25,320	25,656	25,990	26,326	26,662	26,997	27,333	27,501
20.0	25,636	26,233	26,567	26,903	27,239	27,575	27,910	28,246	28,582	28,916	29,252	29,588	29,756
21.0	28,062	28,716	29,091	29,386	29,722	30,058	30,393	30,728	31,064	31,399	31,735	32,071	32,239
22.0	30,723	31,439	31,775	32,111	32,446	32,782	33,117	33,453	33,788	34,124	34,460	34,795	34,962
23.0	33,634	34,419	34,754	35,090	35,426	35,762	36,096	36,432	36,768	37,103	37,439	37,775	37,942
24.0	36,834	37,694	38,030	38,365	38,700	39,036	39,371	39,707	40,043	40,378	40,713	41,049	41,217
25.0	40,348	41,291	41,626	41,962	42,298	42,632	42,968	43,304	43,639	43,975	44,310	44,646	44,813

## Attachment 2

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13
1.0			5,784	5,911	6,031	6,120	6,210	6,326	6,443	6,567	6,691	6,772	6,855
2.0	5,955	6,086	6,210	6,326	6,443	6,567	6,691	6,820	6,951	7,081	7,212	7,301	7,390
3.0	6,414	6,556	6,691	6,820	6,951	7,081	7,212	7,356	7,501	7,645	7,790	7,884	7,981
4.0	6,912	7,066	7,212	7,356	7,501	7,645	7,790	7,941	8,092	8,256	8,421	8,532	8,640
5.0	7,463	7,630	7,790	7,941	8,092	8,256	8,421	8,593	8,765	8,943	9,121	9,239	9,355
6.0	8,066	8,247	8,421	8,593	8,765	8,943	9,121	9,306	9,493	9,685	9,878	10,008	10,139
7.0	8,734	8,931	9,121	9,306	9,493	9,685	9,878	10,083	10,289	10,502	10,716	10,859	11,003
8.0	9,456	9,670	9,878	10,083	10,289	10,502	10,716	10,942	11,168	11,402	11,635	11,794	11,952
9.0	10,256	10,489	10,716	10,942	11,168	11,402	11,635	11,883	12,130	12,384	12,638	12,810	12,982
9.5	10,695	10,938	11,175	11,412	11,649	11,893	12,137	12,394	12,652	12,923	13,194	13,373	13,551
10.0	11,134	11,387	11,635	11,883	12,130	12,384	12,638	12,906	13,174	13,462	13,750	13,936	14,121
10.5	11,615	11,879	12,139	12,394	12,653	12,923	13,194	13,477	13,761	14,058	14,358	14,554	14,747
11.0	12,091	12,367	12,638	12,906	13,174	13,462	13,750	14,045	14,341	14,650	14,959	15,166	15,372
11.5	12,622	12,910	13,194	13,477	13,761	14,058	14,358	14,664	14,974	15,297	15,619	15,837	16,053
12.0	13,153	13,454	13,750	14,045	14,341	14,650	14,959	15,282	15,605	15,942	16,278	16,506	16,732
12.5	13,733	14,047	14,358	14,664	14,974	15,297	15,619	15,959	16,301	16,652	17,007	17,243	17,480
13.0	14,307	14,635	14,959	15,282	15,605	15,942	16,278	16,636	16,993	17,363	17,734	17,982	18,228
14.0	15,566	15,923	16,278	16,621	16,965	17,309	17,651	17,995	18,339	18,683	19,026	19,369	19,712
15.0	16,956	17,346	17,734	18,078	18,422	18,765	19,107	19,451	19,794	20,138	20,482	20,825	21,168
16.0	18,490	18,916	19,341	19,685	20,029	20,371	20,715	21,058	21,402	21,745	22,089	22,433	22,775
17.0	20,156	20,621	21,086	21,429	21,773	22,117	22,459	22,803	23,147	23,489	23,833	24,177	24,520
18.0	21,991	22,499	23,009	23,352	23,696	24,040	24,383	24,725	25,069	25,412	25,756	26,100	26,444
19.0	24,011	24,567	25,125	25,469	25,810	26,154	26,498	26,842	27,184	27,528	27,872	28,215	28,558
20.0	26,214	26,822	27,433	27,774	28,118	28,462	28,806	29,149	29,493	29,837	30,179	30,523	30,866
21.0	28,640	29,305	29,974	30,358	30,660	31,004	31,347	31,690	32,033	32,377	32,720	33,064	33,408
22.0	31,301	32,028	32,761	33,105	33,449	33,792	34,135	34,478	34,822	35,165	35,509	35,853	36,196
23.0	34,212	35,008	35,811	36,154	36,498	36,842	37,186	37,527	37,871	38,215	38,558	38,902	39,246
24.0	37,412	38,283	39,163	39,507	39,850	40,193	40,536	40,879	41,223	41,567	41,910	42,253	42,597
25.0	40,926	41,879	42,844	43,187	43,531	43,875	44,217	44,561	44,905	45,248	45,592	45,934	46,278

## EIGHTY-FIFTH LEGISLATIVE DAY

Helena, Montana  
April 13, 1977

House Chambers  
Capitol Building

House convened at 9:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Lynch. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Kimble, Lien, Lund, Smith and Wood, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

### COMMUNICATIONS AND PETITIONS

The Speaker introduced Bulldog Smith, National President of the Veterans of Foreign Wars, who addressed the assembly briefly.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/13/77

Correctly printed - HB 834, HB 838, HJR 103, HJR 104.

Correctly enrolled - HB 363, HB 402, HB 457, HB 485, HJR 32.

Will be signed by the Speaker on adjournment, 4/13/77 - HB 126, HB 151, HB 286, HB 320, HB 352, HB 487, HB 512, HB 560, HB 585, HB 647, HB 724, HB 810.

Were signed by the Speaker on adjournment, 4/12/77 - HB 447, HB 455, HB 488, HB 547, HB 635, HB 769, HJR 83, HJR 84, SB 182.

Was signed by the Speaker on adjournment, 4/13/77 - HB 795.

### MESSAGES FROM THE OTHER HOUSE

Bill not concurred in by the Senate,  
and returned to the House: 4/12/77

House Bill 410, introduced by Dussault, Tropila, Kvaalen, et al

Senate, on motion, acceded to the request of the House for the return of  
Senate Bill No. 199 to further consider the Governor's Amendments. 4/12/77

House Amendments to the following bills  
were concurred in by the Senate: 4/12/77

House Amendments to Senate Bill No. 80, introduced by Select Committee on State Employee Pay (Roberts, Chairman)

House Amendments to Senate Bill No. 120, introduced by Story

House Amendments to Senate Bill No. 175, introduced by Warden, Blaylock, et al

House Amendments to Senate Bill No. 200, introduced by Warden, Blaylock, et al

House Amendments to Senate Bill No. 225, introduced by Story, Devine, et al



House Amendments to Senate Bill No. 226, introduced by Story, Devine, et al

House Amendments to Senate Bill No. 227, introduced by Story, Devine, et al

House Amendments to Senate Bill No. 245, introduced by Murray

House Amendments to Senate Bill No. 252, introduced by Turnage

House Amendments to Senate Bill No. 268, introduced by Graham

House Amendments to Senate Bill No. 310, introduced by Roberts

House Amendments to Senate Bill No. 329, introduced by Roskie (by request)

House Amendments to Senate Bill No. 419, introduced by Towe, Dover, et al

4/12/77

Senate failed to concur in House Amendments to Senate Bill No. 31, and the President was authorized to appoint the following Free Conference Committee, and requests the House to appoint a like committee to confer on Senate Bill No. 31:

Senator Mathers, Chairman  
Senator Murphy  
Senator Turnage

4/12/77

Senate failed to concur in House Amendments to Senate Bill No. 125, and the President was authorized to appoint the following Conference Committee, and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 125:

Senator Regan, Chairperson  
Senator Blaylock  
Senator Nelson

4/12/77

Senate failed to concur in House Amendments to Senate Bill No. 168, and the President was authorized to appoint the following Conference Committee, and requested the House to appoint a like committee to confer on House Amendments to Senate Bill No. 168:

Senator Roberts, Chairman  
Senator Lee  
Senator Himsl

4/12/77

Senate failed to concur in House Amendments to Senate Bill No. 195, and the President was authorized to appoint the following Conference Committee, and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 195:

Senator Flynn, Chairman  
Senator Dover  
Senator Hager

4/12/77

Senate failed to concur in House Amendments to Senate Bill No. 224, and the President was authorized to appoint the following Conference Committee, and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 224:



Senator Story, Chairman  
Senator Manley  
Senator McCallum

4/12/77

Senate failed to concur in House Amendments to Senate Bill No. 302, and the President was authorized to appoint the following Conference Committee, and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 302:

Senator Roskie, Chairman  
Senator Hager  
Senator Ed Smith

4/12/77

Senate failed to concur in House Amendments to Senate Bill No. 382, and the President was authorized to appoint the following Free Conference Committee, and requests the House to appoint a like committee to confer on Senate Bill No. 382:

Senator Towe, Chairman  
Senator Brown  
Senator Rasmussen

4/12/77

Senate failed to concur in House Amendments to Senate Bill No. 399, and the President was authorized to appoint the following Conference Committee, and requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 399:

Senator Boylan, Chairman  
Senator Rasmussen  
Senator Olson

4/12/77

Senate failed to concur in House Amendments to Senate Bill No. 401, and the President was authorized to appoint the following Free Conference Committee, and requests the House to appoint a like committee to confer on Senate Bill No. 401:

Senator Lowe, Chairman  
Senator Murphy  
Senator Peterson

### MOTIONS

Mular moved that the House reconsider its action taken yesterday in failing to pass HB 446 on Second Reading. Motion failed.

Meloy moved that SB 233 be recalled from the Senate for further consideration. Motion carried.

Meloy moved that the Speaker be authorized to appoint conference committees of three to meet with like committees from the Senate on House Amendments to the following Senate Bills: SB 125, SB 195, SB 224, SB 302, SB 399. Motion carried.

Meloy moved that the Speaker be authorized to appoint free conference committees of three to meet with like committees from the Senate on the following Senate Bills: SB 31, SB 382 and SB 401.

### COMMUNICATIONS AND PETITIONS

The Speaker appointed the following conference committees of three to

meet with like committees from the Senate on House Amendments to the following Senate bills:

- SB 125: Lynch, Chairman; Tropila and Underdal;
- SB 195: Harper, Chairman; Shelden and Lory;
- SB 224: Harper, Chairman; Shelden and Lory;
- SB 302: Scully, Chairman; Meloy and Fagg;
- SB 399: Dussault, Chairman; Cooney and McLane.

The Speaker appointed the following free conference committees of three to meet with like committees from the Senate on the following Senate bills:

- SB 31: Huennekens, Chairman; Hirsch and Fabrega;
- SB 382: Quilici, Chairman; Scully and Ramirez;
- SB 401: Brand, Chairman; Lien and Fagg.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Metcalf in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 182 be adopted. (76-9)

Lien present at this time.

That the Conference Committee Report on SB 101 be not adopted. (80-8)

That HJR 102 do pass. (77-5)

That SB 192 be amended as follows:

1. Amend page 4, line 24.

Strike: "\$27,500"

Insert: "\$30,000" (67-9) Scully abstained.

And as amended, be concurred in. (75-11)

That the committee rise and report and beg leave to sit again. (Metcalf, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/13/77

Correctly enrolled - HB 164, HB 664, HB 795, HJR 59, HJR 71, HJR 75.

Will be signed by the Speaker on adjournment, 4/13/77 - SB 11, SB 27, SB 72, SB 112, SB 129, SB 336, SB 365, SB 426, HB 5, HB 147, HB 164, HB 280, HB 340, HB 360, HB 363, HB 384, HB 402, HB 415, HB 457, HB 485, HB 664, HB 795, HB 805, HJR 32, HJR 51, HJR 59, HJR 71, HJR 75.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 10:00 a.m., 4/13/77 - HB 447, HB 455, HB 488, HB 547, HB 635, HB 769.

Examined by Sponsors and found to be correct - HB 5, HB 147, HB 164, HB 280, HB 340, HB 360, HB 363, HB 384, HB 402, HB 415, HB 457, HB 485, HB 664, HB 805, HJR 32, HJR 51, HJR 59, HJR 71, HJR 75.

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following House bill and resolutions were introduced, read first time and referred to committees:

HB 840, introduced by Committee on Public Health, Welfare and Safety; Menahan, Chairman. Referred to Committee on Public Health, Welfare and Safety.

HR 5, introduced by Quilici, E. Gunderson. Referred to Committee on Legislative Administration/Bills and Journal.

HJR 105, introduced by Bardanoue. Referred to Committee on Appropriations.

House recessed at 11:10 a.m.

House resumed at 2:30 p.m.

Mr. Speaker in the Chair.

### **REPORTS OF STANDING COMMITTEES**

Kimble and Lund present at this time.

BILLS (Quilici, Chairman):

4/13/77

Correctly enrolled - HB 177, HB 197, HB 217, HB 251, HB 318, HB 324, HB 356, HB 389, HB 493, HB 587, HB 617, HB 644, HJR 21, HJR 68, HJR 79.

### **MESSAGES FROM THE OTHER HOUSE**

Bills and Resolution concurred in by the Senate  
and returned to the House:

4/13/77

House Bill No. 407, introduced by Lory, Ellis, et al (by request)

House Bill No. 428, introduced by O'Connell, Gilligan, et al

House Joint Resolution No. 94, introduced by Cooney, Courtney, Nathe, et al

Bills and Resolution concurred in as amended by  
the Senate, and returned to the House  
for concurrence in Senate Amendments:

4/13/77

House Bill No. 85, introduced by Dassinger, Day, Cox

House Bill No. 141, introduced by Huennekens, Lynch, et al

House Bill No. 143, introduced by Driscoll, Meloy

House Bill No. 355, introduced by Gould, Keyser, Frates, Johnston, Lund

House Joint Resolution No. 91, introduced by Ellerd

4/13/77

Senate refused to accede to the request of the House to appoint a Conference Committee on Senate Amendments to House Bill No. 595.

4/13/77

Senate, on 4/12/77, rejected the Free Conference Committee Report on House Bill No. 4. The Free Conference Committee was dissolved and the President was authorized to appoint the following new Free Conference Committee and requests the House to appoint a like committee:

Senator Lockrem, Chairman  
Senator Roberts  
Senator Lensink

Bill passed by the Senate on 4/7/77, and  
transmitted to the House for concurrence:

4/13/77

Senate Bill No. 449, introduced by Rasmussen

### **SPECIAL ORDERS OF THE DAY**

The Speaker introduced the Western Christian College Chorus from Saskatchewan, Canada, who sang several selections.

Representatives Davis and Scully escorted the Montana State University Bobcat team into the Chambers. The Speaker introduced their head coach, Sonny Holland, who addressed the assembly briefly and introduced the team members and assistant coaches.

### **REPORTS OF STANDING COMMITTEES**

Will be signed by the Speaker on adjournment, 4/13/77 - HB 177, HB 197, HB 217, HB 251, HB 318, HB 324, HB 356, HB 389, HB 493, HB 587, HB 617, HB 644, HJR 21, HJR 68, HJR 79.

Examined by Sponsor and found to be correct - HB 795.

RULES (Meloy, Chairman):

4/13/77

HB 839, do pass. Report adopted.

Respectfully report that a new House Rule 1-7 be adopted as follows:

H1-7. A motion to spread the ayes and noes on the journal on any question must be made before the vote is taken on that question.  
Report adopted.

HR 4, reported without recommendation. Report adopted.

### **REPORTS OF SELECT COMMITTEES**

#### **JOINT CONFERENCE COMMITTEE**

##### **ON HOUSE BILL NO. 90**

Report No. 1, April 13, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 90, met April 13, 1977, and considered:

Senate Committee on State Administration Amendments dated April 5, 1977, and recommend as follows:

Having had under consideration Senate Committee on State Administration Amendments dated April 5, 1977,

That the House accede to amendment numbers 1, 3, 4, 5, and 7,

And further that the Senate recede from amendment numbers 2 and 6, reading as follows:

2. Amend page 4, section 2, lines 5 and 6.



Following: "investigations"

Strike: "and supervise such investigations when, in his judgment, supervision is necessary"

6. Amend page 5, section 2, lines 11 and 12.

Following: "for"

Strike: "safeguarding life and property from the hazards of fire and explosion"

Insert: "carrying into effect the fire prevention laws of this state"

And further that House Bill No. 90, third reading bill, be amended as follows:

1. Amend page 5, section 2, line 12.

Following: "explosion"

Insert: "and carrying into effect the fire prevention laws of this state"

And that the Conference Committee Report on House Bill No. 90 be adopted.

FOR THE HOUSE:

ROBBINS  
O'CONNELL  
BERTELSEN

FOR THE SENATE:

JERGESON  
STORY  
R. SMITH

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 334  
Report No. 1, April 13, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 334, met April 13, 1977, and considered:

Senate Committee on Judiciary Amendments dated April 2, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated April 2, 1977,

That the Senate recede from amendment numbers 1 and 2, reading as follows:

1. Amend page 2, section 3, line 6.

Following: " "

Strike: "at least 45 days"

2. Amend page 2, section 4, lines 8 through 12.

Following: line 7

Strike: section 4 in its entirety

And that the Conference Committee Report on House Bill No. 334 be adopted.

FOR THE HOUSE:

SCULLY  
CONROY  
RAMIREZ

FOR THE SENATE:

REGAN  
LENSINK  
MURRAY

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON SENATE BILL NO. 65  
Report No. 1, April 13, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill 65, met on April 13, 1977, and considered:

House Committee on Taxation Amendments dated March 30, 1977, and recommend as follows:

That the House recede from amendment number 1, reading as follows:

1. Amend page 1, section 1, line 15.

Following: line 14

Strike: lines 15 through 17

Reletter: subsequent subsections

That the Senate accede to amendment numbers 2 through 6,

And that the Conference Committee Report on Senate Bill 65 be adopted.

FOR THE SENATE:

TURNAGE  
HEALY  
MATHERS

FOR THE HOUSE:

WILLIAMS  
O'CONNELL

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON SENATE BILL NO. 125  
Report No. 1, April 13, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 125, met on April 12, 1977, and considered:

House Committee on Business and Industry Amendments dated April 6, 1977, and recommend as follows:

That the House recede from amendment numbers 1 and 2, reading as follows:

1. Amend title, line 13.

Following: "(66-1934)"

Insert: "41-2005,"

2. Amend page 7, section 4, line 24.

Following: "(66-1934)"

Insert: "41-2005,"

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on Senate Bill 125 be adopted.

FOR THE SENATE:

REGAN  
BLAYLOCK  
NELSON

FOR THE HOUSE:

LYNCH  
TROPILA  
UNDERDAL

Report adopted.

**MESSAGES FROM THE OTHER HOUSE**

Bill, on 4/12/77, concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

4/13/77

House Bill No. 521, introduced by Vincent, Bradley, Lynch, et al (by request)

**MOTIONS**

Marks moved that the rules be suspended to allow the introduction of a house joint resolution commending former Governor J. Hugo Aronson. Motion carried.

Meloy moved that the Speaker be authorized to appoint a new free conference committee of three to meet with a like committee from the Senate on House Bill 4. Motion carried.

Meloy moved that the conference committee on Senate Amendments to HB 595 be dissolved and that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on HB 595.

Meloy moved that the rules be suspended and that SJR 48 be admitted and assigned to the Judiciary Subcommittee on Water. Motion carried.

Meloy moved that the rules be suspended and that SJR 49 be admitted and assigned to the Committee on Agriculture, Livestock and Irrigation. Motion carried.

Meloy moved that the rules be suspended and that SB 448 be admitted and assigned to the Committee on Education. Motion carried.

Vincent moved that the House reconsider its action taken yesterday in failing to concur in SB 193 on Second Reading. Feda moved the previous question. Motion carried. Marks moved the motion to reconsider be laid on the table. Motion failed. Thereupon Vincent's motion failed.

Moore moved that the House reconsider its action taken yesterday in failing to accept SB 447 for late introduction. Motion failed.

Meloy moved that the rules be suspended to allow late introduction of SB 449. Motion carried.

**FIRST READING AND COMMITMENT  
OF BILLS AND RESOLUTIONS**

The following bill was introduced, read first time and referred to committee:

SB 449, introduced by Rasmussen. Referred to Committee on Rules.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Metcalf in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 445 be amended as follows:

1. Amend page 9, section 9, line 16.

Following: line 15

Strike: line 16 in its entirety

Renumber: subsequent subsections (56-34)

And as amended, be concurred in. (85-5)

That SJR 28 be concurred in. (84-1)

That SJR 42 be concurred in. (57-31)

That SJR 44 be concurred in. (63-26)

That SA to HB 123 be concurred in. (83-1)

That SA to HB 156 be not concurred in. (80-5)

That SA to HB 198 be not concurred in. (85-0)

That SA to HB 215 be concurred in. (87-1)

That SA to HB 239 be concurred in. (85-2)

That SA to HB 298 be concurred in. (81-1)

That SA to HB 299 be concurred in. (76-10)

That SA to HB 422 be concurred in. (79-0)

That SA to HB 491 be concurred in. (83-0)

That SA to HB 494 be concurred in. (78-6)

That SA to HB 499 be passed to the bottom of the board.

That SA to HB 508 be concurred in. (84-1)

That SA to HB 567 be not concurred in. (78-4)

That SA to HB 610 be concurred in. (81-3)

That SA to HB 627 be not concurred in. (55-36)

That SA to HB 658 be concurred in. (81-0)

That SA to HB 745 be placed below SA to HB 772.

That SA to HB 758 be concurred in. (78-0)

That SA to HB 762 be not concurred in. (73-8)

That SA to HB 772 be not concurred in. (79-1)

That SA to HB 745 be concurred in. (84-0)

That SA to HB 773 be not concurred in. (78-2)

That SA to HB 800 be not concurred in. (86-0)

That SA to HB 816 be passed for the day.

That SA to HJR 25 be concurred in. (83-1)

That SA to HJR 65 be concurred in. (82-4)

That the Governor's Amendments to SB 199 be concurred in. (50-39)

That SA to HB 499 be concurred in. (88-0)



That the committee rise and report. (Metcalf, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

### BILLS (Quilici, Chairman):

4/13/77

Considered correctly engrossed - HJR 102.

Correctly enrolled - HB 126, HB 151, HB 286, HB 320, HB 352, HB 487, HB 512, HB 560, HB 585, HB 647, HB 724, HB 801, HB 810.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 4:35 p.m., 4/13/77. - HB 795.

Will be signed by the Speaker on adjournment, 4/13/77 - HB 177, HB 251, HB 318, HB 324, HB 356, HB 389, HB 493, HB 587, HB 617, HB 644, HJR 68, HJR 79.

Examined by the Sponsors and found to be correct - HB 126, HB 151, HB 177, HB 197, HB 251, HB 286, HB 318, HB 320, HB 324, HB 352, HB 356, HB 389, HB 487, HB 493, HB 512, HB 585, HB 587, HB 617, HB 644, HB 647, HB 724, HB 810, HJR 68, HJR 79.

### EDUCATION (Dussault, Chairperson):

4/12/77

SB 271, third reading bill, be amended as follows:

1. Amend page 1, line 24.

Strike: "\$10,678"

Insert: "\$10,483"

2. Amend page 2, line 4.

Strike: "\$10,678"

Insert: "\$10,483"

3. Amend page 2, line 4.

Strike: "\$466.30"

Insert: "\$438.10"

4. Amend page 2, line 10.

Strike: "\$14,694.70"

Insert: "\$14,425"

5. Amend page 2, line 11.

Strike: "\$446.30"

Insert: "\$438.10"

6. Amend page 2, line 17.

Strike: "\$23,459"

Insert: "\$23,031"

7. Amend page 2, line 18.

Strike: "\$279.50"

Insert: "\$274.40"

8. Amend page 3, line 2.

Strike: "\$1,037.45"

Insert: "\$1,018"

9. Amend page 3, line 3.

Strike: "\$1.02"

Insert: "\$.99"

10. Amend page 3, line 8.

Strike: "\$976.25"

Insert: "\$958.50"

11. Amend page 3, line 9.

Strike: "\$.92"

Insert: "\$.90"

12. Amend page 3, line 14.

Strike: "\$792.25"

Insert: "\$777.80"

13. Amend page 3, line 24.

Strike: "\$60,832"

Insert: "\$59,719"

14. Amend page 4, line 2.

Strike: "\$2,534.67"

Insert: "\$2,488"

15. Amend page 4, line 4.

Strike: "\$13.82"

Insert: "\$13.57"

16. Amend page 4, line 8.

Strike: "\$2,313.55"

Insert: "\$2,271"

17. Amend page 4, line 9.

Strike: "\$13.82"

Insert: "\$13.57"

18. Amend page 4, line 13.

Strike: "\$1,484.35"

Insert: "\$1,457"

19. Amend page 4, line 15.

Strike: "\$2.31"

Insert: "\$2.27"

20. Amend page 4, line 19.

Strike: "\$1,253.35"

Insert: "\$1,230"

21. Amend page 4, line 20.

Strike: "\$1.28"

Insert: "\$1.25"

22. Amend page 4, line 24.

Strike: "\$1,125.35"

Insert: "\$1,105"

23. Amend page 5, line 4.

Strike: "\$1,056.35"

Insert: "\$1,036"

24. Amend page 5, line 17.

Strike: "\$11,746"

Insert: "\$11,321"

25. Amend page 5, line 22.

Strike: "\$11,746"

Insert: "\$11,321"

26. Amend page 5, line 23.

Strike: "\$490.90"

Insert: "\$473.10"

27. Amend page 6, line 3.

Strike: "\$16,164.10"

Insert: "\$15,579"

28. Amend page 6, line 4.

Strike: "\$490.90"

Insert: "\$473.10"

29. Amend page 6, line 10.

Strike: "\$25,804.50"

Insert: "\$24,874"

30. Amend page 6, line 11.

Strike: "\$307.45"

Insert: "\$296.30"

31. Amend page 6, line 20.

Strike: "\$1,142.70"

Insert: "\$1,099"

32. Amend page 6, line 21.

Strike: "\$1.12"

Insert: "\$1.07"

33. Amend page 7, line 1.

Strike: "\$1,075.50"

Insert: "\$1,035"

34. Amend page 7, line 2.

Strike: "\$1.02"

Insert: "\$.98"

35. Amend page 7, line 7.

Strike: "\$871.50"

Insert: "\$840"

36. Amend page 7, line 19.

Strike: "\$66,916"

Insert: "\$64,497"

37. Amend page 7, line 22.

Strike: "\$2,788.20"

Insert: "\$2,687"

38. Amend page 7, line 24.

Strike: "\$15.20"

Insert: "\$14.66"

39. Amend page 8, line 3.

Strike: "\$2,545"

Insert: "\$2,453"

40. Amend page 8, line 4.

Strike: "\$15.20"

Insert: "\$14.60"

41. Amend page 8, line 8.

Strike: "\$1,633"

Insert: "\$1,573"

42. Amend page 8, line 10.

Strike: "\$2.54"

Insert: "\$2.45"

43. Amend page 8, line 14.

Strike: "\$1,379"

Insert: "\$1,328"

44. Amend page 8, line 15.

Strike: "\$1.41"

Insert: "\$1.35"

45. Amend page 8, line 19.

Strike: "\$1,258"

Insert: "\$1,193"

46. Amend page 8, line 24.

Strike: "\$1,163"

Insert: "\$1,119"

And as amended, be concurred in. Report adopted.

### REPORTS OF SELECT COMMITTEES

#### FREE JOINT CONFERENCE COMMITTEE

##### ON HOUSE BILL NO. 245

Report No. 1, April 13, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 245 met April 13, 1977, and considered:

Senate Committee of the Whole Amendments dated April 1, 1977, and recommend as follows:

Having had under consideration Senate Committee of the Whole Amendments dated April 1, 1977,

That the Senate recede from amendment numbers 1 and 2 reading as follows:

1. Amend page 4, section 1, line 5.

Strike: "\$20,000"

Insert: "\$40,000"

2. Amend page 4, section 1, line 7.

Following: "employs"

Strike: "10"

Insert: "20"

And that the Conference Committee Report on House Bill No. 245 be adopted.

FOR THE HOUSE:

LYNCH, Chairman

MARKS

WILLIAMS

FOR THE SENATE:

LEE, Chairman

LOCKREM

ED SMITH

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bills on Committee Report, not concurred in



by the Senate, reports adopted, and  
returned to the House:

4/13/77

House Bill No. 168, introduced by Moore, Johnston

House Bill No. 502, introduced by Brand, Mular, et al

House Bill No. 531, introduced by Lien, Day, Bradley

House Bill No. 725, introduced by Brand, Mular, et al

House Bill No. 781, introduced by Marks, Moore

House Bill No. 821, introduced by Halvorson

Bill on Committee of the Whole in the Senate,  
recommended that further action be  
indefinitely postponed as amended,  
report adopted, and returned to the House:

4/13/77

House Bill No. 3, introduced by Dussault, W. Baeth, Bardanouve, et  
al

Governor's Amendments to the following bills  
adopted by the Senate on roll call vote  
and returned to the House:

4/13/77

House Bill No. 178, introduced by Harrington, Quilici, et al

House Bill No. 301, introduced by Ellerd, Davis, Turner, et al

Conference Committee Reports adopted by the Senate  
on roll call vote:

4/13/77

Conference Committee report on Senate Amendments to House Bill No.  
150

Conference Committee report on Senate Amendments to House Bill No.  
182

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following resolution was introduced, read first time and referred  
to committee:

HJR 106, introduced by Marks, Moore, R. Baeth, Bradley, Johnston,  
Meloy. Referred to Committee on Judiciary.

### **THIRD READING OF BILLS**

The following bills having been read three several times, title and his-  
tory agreed to, were disposed of in the following manner:

House Joint Resolution No. 100 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson,  
Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Cox, Curtiss,  
Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg,  
Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson,  
Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens,  
Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser,  
Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel,  
Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell,  
O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert,  
Severson, Sheldon, Sivertsen, Staigmiller, Stobie, Tropila, Turner, Uhde,  
Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 84

Noes: Ellison, Feda, Vinger.

Total 3

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Burnett, Conroy, Davis, Mular, Ryan, Scully, South, Teague, Tower, Underdal.

Total 10

Senate Bill No. 324 was concurred in by the following vote:

Ayes: Aageson, Barrett, Bertelsen, Conroy, Cox, Curtiss, Dassinger, Davis, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Hand, Hansen, Hirsch, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kropp, Kvaalen, Lory, Lynch, McLane, Marks, Meyer, Moore, Nathe, O'Keefe, Pistoria, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Teague, Tower, Turner, Underdal, Vinger, Williams, Wood, Wyrick.

Total 51

Noes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Colburn, Cooney, Courtney, Day, Dussault, Estenson, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Holmes, Huennekens, Kanduch, Kennerly, Kessler, Kimble, Lien, Lund, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Quilici, Robbins, Scully, Shelden, South, Staigmilller, Tropila, Uhde, Vincent, Waldron, Mr. Speaker.

Total 47

Paired: Ellerd, Seifert, Smith, Underdal, Wood, Ayes; Dussault, Holmes, Metcalf, Mular, Uhde, Noes.

Excused: None.

Total 0

Absent or not voting: Burnett, Ryan.

Total 2

Senate Bill No. 380 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 89

Noes: Colburn.

Total 1

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Burnett, Cox, Davis, Mular, Ryan, Scully, Underdal.

Total 7

Senate Bill No. 384 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 91

Noes: Colburn.

Total 1

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Burnett, Cox, Mular, Ryan, Underdal.

Total 5

Senate Joint Resolution No. 46 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 75

Noes: Colburn, Davis, Ellis, Ellison, Ernst, Fedá, Hurwitz, Kropp, Kvaalen, Marks, Moore, Stobie, Tower, Turner, Vinger, Wyrick.

Total 16

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Bardanouve, Burnett, Cox, Mular, Ryan, Underdal.

Total 6

The Conference Committee Report on House Bill No. 182 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins,



Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 87

Noes: Colburn, Kropp.

Total 2

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Burnett, Cox, Davis, Mular, Roth, Ryan, Tower, Underdal.

Total 8

Senate Amendments to House Bill No. 123 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 90

Noes: Bardanouve.

Total 1

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Burnett, Mular, Ryan, Scully, Shelden, Underdal.

Total 6

Senate Amendments to House Bill No. 215 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellerd, Smith, Wood.

Total 3



Absent or not voting: Burnett, Mular, Ryan, Tower, Underdal.

Total 5

Senate Amendments to House Bill No. 239 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Wyrick, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Burnett, Holmes, Mular, Ryan, Seifert, Underdal, Williams.

Total 7

Senate Amendments to House Bill No. 298 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 89

Noes: Pistoria.

Total 1

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Burnett, Ellison, Mular, Ryan, Seifert, Shelden, Underdal.

Total 7

Senate Amendments to House Bill No. 299 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox,

Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Roth, Severson, Sivertsen, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 82

Noes: Colburn, Fabrega, Kessler, Moore, Porter, Ramirez, Robbins, Stobie, Vinger.

Total 9

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Mular, Ryan, Scully, Seifert, Shelden, Underdal.

Total 6

Senate Amendments to House Bill No. 422 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Severson, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 90

Noes: Colburn.

Total 1

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Mular, Ryan, Scully, Seifert, Shelden, Underdal.

Total 6

Senate Amendments to House Bill No. 491 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 89

Noes: Colburn.

Total 1

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Lund, Mular, Ryan, Scully, Seifert, Teague, Underdal.

Total 7

Senate Amendments to House Bill No. 494 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 89

Noes: Colburn, Tropila.

Total 2

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Burnett, Mular, Ryan, Scully, Seifert, Underdal.

Total 6

Senate Amendments to House Bill No. 508 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Sivertsen, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88

Noes: Colburn, Hand, Stobie.

Total 3

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Moore, Mular, Ryan, Scully, Shelden, Underdal.

Total 6



Senate Amendments to House Bill No. 610 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Wyrick, Mr. Speaker.

Total 87

Noes: Colburn, Frates, Nathe.

Total 3

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Mular, Pistoria, Ryan, Scully, Shelden, Underdal, Williams.

Total 7

Senate Amendments to House Bill No. 658 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Sivertsen, South, Staigmilller, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 89

Noes: Colburn.

Total 1

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Frates, Mular, Ryan, Scully, Shelden, Tower, Underdal.

Total 7

Senate Amendments to House Bill No. 758 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch,



Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Sivertsen, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88

Noes: Colburn.

Total 1

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Mular, Pistoria, Ryan, Scully, Severson, Shelden, Tower, Underdal.

Total 8

Senate Amendments to House Bill No. 745 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 93

Noes: Colburn.

Total 1

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Mular, Ryan, Underdal.

Total 3

Senate Amendments to House Joint Resolution No. 25 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Sivertsen, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88

Noes: Colburn, Teague.

Total 2

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Courtney, Mular, O'Connell, Ryan, Scully, Shelden, Underdal.

Total 7

Senate Amendments to House Joint Resolution No. 65 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Sivertsen, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88

Noes: Colburn, Cox, Nathe, Porter.

Total 4

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Mular, Ryan, Scully, Shelden, Underdal.

Total 5

Senate Amendments to House Bill No. 499 were concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88

Noes: Aageson, Colburn.

Total 2

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Ellison, Hurwitz, Lory, Mular, Shelden, Stobie, Underdal.

Total 7

Governor's Amendments to Senate Bill No. 199 were concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Estenson, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kvaalen, Lien, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, O'Keefe, Palmer, Quilici, Robbins, Ryan, Severson, Shelden, South, Staigmiller, Tropila, Vincent, Waldron, Williams, Mr. Speaker.

Total 57

Noes: Ageson, Barrett, Burnett, Colburn, Cox, Curtiss, Davis, Ellis, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Jensen, Kenny, Keyser, Kropp, Lory, McLane, Meyer, Nathe, O'Connell, Pistoria, Porter, Ramirez, Roth, Seifert, Sivertsen, Stobie, Teague, Tower, Turner, Uhde, Vinger, Wyrick.

Total 36

Excused: Ellerd, Smith, Wood.

Total 3

Absent or not voting: Holmes, Mular, Scully, Underdal.

Total 4

### MOTIONS

Fabrega moved that HJR 21 be rereferred from the Committee on Bills to Enrolling. Motion carried.

Meloy moved that the Speaker be authorized to appoint conference committees of three to meet with like committees from the Senate on Senate Amendments to: HB 156, HB 198, HB 627, and HB 800. Motion carried.

Meloy moved that the Speaker be authorized to appoint free conference committees of three to meet with like committees from the Senate on: HB 567, HB 762, HB 772, and HB 773. Motion carried.

Meloy moved that SB 449 be rereferred from the Committee on Rules to the Committee on State Administration. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following conference committees of three to meet with like committees from the Senate on Senate Amendments to the following House bills:

- HB 156: Bengtson, Chairman; Lien and Ellis;
- HB 198: Quilici, Chairman; Harrington and Fabrega;
- HB 627: Huennekens, Chairman; Mular and O'Keefe;
- HB 800: Holmes, Chairman; Kimble and Ramirez.

The Speaker appointed the following free conference committees of three to meet with like committees from the Senate on the following House bills:

- HB 567: Huennekens, Chairman; Ryan and Cox;
- HB 595: Metcalf, Chairman; Courtney and Fagg;
- HB 762: Bradley, Chairman; Quilici and Nathe;
- HB 772: Dussault, Chairman; Bengtson and Barrett;
- HB 773: Huennekens, Chairman; Harrington and Marks.

Meloy moved that the House adjourn until 9:30 a.m., April 14, 1977.

Motion carried.

House adjourned at 5:55 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## EIGHTY-SIXTH LEGISLATIVE DAY

Helena, Montana  
April 14, 1977

House Chambers  
Capitol Building

House convened at 9:30 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Halvorson, Stobie, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/14/77  
Correctly enrolled - HB 105, HB 148, HB 247, HB 492, HB 589,  
HB 634, HB 659, HB 718, HB 760, HB 787, HJR 88.  
Correctly printed - HB 839, HR 4.

Were signed by the Speaker on adjournment, 4/13/77 - HB 5, HB 147,  
HB 164, HB 177, HB 197, HB 251, HB 280, HB 318, HB 324,  
HB 340, HB 356, HB 360, HB 363, HB 384, HB 389, HB 402,  
HB 415, HB 457, HB 485, HB 493, HB 587, HB 617, HB 644,  
HB 664, HB 805, HJR 32, HJR 51, HJR 68, HJR 79.

Examined by the Sponsor and found to be correct - HB 560.

Were signed by the Speaker on adjournment, 4/13/77 - HB 126,  
HB 151, HB 286, HB 320, HB 352, HB 487, HB 512, HB 560,  
HB 585, HB 647, HB 724, HB 810.

JUDICIARY (Scully, Chairman): 4/14/77  
HJR 106, do pass. Report adopted.  
SJR 19, be concurred in. Report adopted.  
SJR 48, be not concurred in.

### MOTIONS

Meloy moved that consideration of SB 271 be postponed until the 88th Legislative Day. Motion carried.

Conroy moved that the conference committee on HB 577 be dissolved and that the same members be reappointed to a free conference committee on HB 577. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Joint Resolution No. 102 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular,

O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Seifert, Severson, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Sivertsen.

Total 1

Excused: Ellerd, Halvorson, Stobie.

Total 3

Absent or not voting: Bardanouve, Colburn, Davis, Ellis, Gould, Kessler, Kimble, Kvaalen, Lory, Nathe, Ramirez, Roth, Ryan, Scully, Shelden, Waldron.

Total 16

Senate Bill No. 155 was concurred in by the following vote:

Ayes: W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ernst, Estenson, Eudaily, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harrington, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Seifert, Severson, Smith, South, Staigmiller, Teague, Tower, Underdal, Vincent, Waldron, Wood, Wyrick, Mr. Speaker.

Total 69

Noes: Aageson, R. Baeth, Cox, Ellison, Fabrega, Fedra, Gerke, Harper, Holmes, Huennekens, Metcalf, Meyer, Moore, Sivertsen, Tropila, Turner, Uhde, Vinger, Williams.

Total 19

Excused: Ellerd, Halvorson, Stobie.

Total 3

Absent or not voting: Bardanouve, Colburn, Davis, Ellis, Kessler, Lory, Ramirez, Scully, Shelden.

Total 9

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Fagg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 834 do pass. (76-14)

That the Conference Committee Report on HB 90 be adopted. (85-1)

That the Conference Committee Report on HB 245 be placed below the Conference Committee Report on HB 838.

That the Conference Committee Report on HB 334 be adopted. (84-0)

That the Conference Committee Report on SB 65 be adopted. (73-16)

That the Conference Committee Report on SB 125 be not adopted. (66-24)

That HB 31 be placed at the bottom of the board.

That HB 838 do pass. (74-11)

That the Conference Committee Report on HB 245 be adopted. (58-31)

That HJR 103 do pass. (54-34)

That HJR 104 do pass. (66-24)

That SA to HB 85 be not concurred in. (83-9)

That SA to HB 141 be concurred in. (87-1)

That SA to HB 143 be placed at the bottom of the board.

That SA to HB 355 be concurred in. (84-0)

That SA to HB 521 be not concurred in. (67-18)

That SA to HB 816 be passed for the day.

That SA to HJR 91 be passed for the day.

That HB 31 be amended as follows:

1. Amend title, line 7.

Following: line 6

Strike: "section"

Insert: "sections 8-103.4, 82A-401.1, 82A-404, and"

2. Amend page 2, section 2, lines 5 and 6.

Following: "trade or"

Strike: "profession, any product or service of a public utility, and"

3. Amend page 2, section 2, line 6.

Following: "soil"

Insert: "A product or service of a public utility is not included within the term 'article of commerce'." (80-1)

And be further amended:

4. Amend page 22, section 21, line 14.

Following: "if injured thereby,"

Insert: "or the attorney general," (78-3)

And as amended, do pass. (74-6)

That SA to HB 143 be concurred in. (86-6)

That the committee rise and report and beg leave to sit again. (Fagg, Chairman) Report adopted.

## COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new free conference committee of three to meet with a like committee from the Senate on HB 4: Kessler, Chairman; Frates and Davis.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on HB 577: Conroy, Chairman; Meloy and Bertelsen.

**REPORTS OF STANDING COMMITTEES**

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 11:15 a.m., 4/14/77. - HB 5, HB 340, HB 360, HB 363, HB 384, HB 402, HB 415, HB 457, HB 485, HB 805.

Examined by Sponsors and found to be correct - HB 105, HB 217, HB 247, HB 492, HB 589, HB 634, HB 659, HB 718, HB 760, HB 787, HJR 88

APPROPRIATIONS (Bardanoue, Chairman):

4/14/77

SB 354, be concurred in. Report adopted.

HJR 105, do pass. Report adopted.

**REPORTS OF SELECT COMMITTEES****JOINT CONFERENCE COMMITTEE****ON HOUSE BILL NO. 721**

Report No. 1, April 14, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 721, met April 14, 1977, and considered:

Senate Committee on Judiciary Amendments dated March 25, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 25, 1977,

That the House accede to amendment numbers 1, 2, and 3,

And that the Conference Committee Report on House Bill No. 721 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

SCULLY  
COURTNEY  
KEYSER

MURRAY  
LENSINK  
REGAN

Report adopted.

**MESSAGES FROM THE GOVERNOR**

April 14, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill 795.

Sincerely,

THOMAS L. JUDGE  
Governor



April 14, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear Mr. McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 34, 53, 105, 165, and 202.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

Resolutions, on 4/13/77, concurred in by  
the Senate, and returned to the House: 4/14/77

House Joint Resolution No. 95, introduced by Menahan, Moore, et al

House Joint Resolution No. 96, introduced by Roth, Aageson, et al

4/14/77

Senate, on motion, requests the return of House Bill No. 502 for further  
consideration.

4/14/77

Bill, on 4/13/77, passed by the Senate and transmitted to the House for  
concurrence:

Senate Bill No. 450, introduced by Stephens (by request)

### MOTIONS

Meloy moved that the Speaker be authorized to appoint a conference  
committee of three to meet with a like committee from the Senate on  
House Amendments to SB 168. Motion carried.

Meloy moved that the House accede to the request of the Senate and  
return HB 502 to them for further consideration. Motion carried.

Meloy moved that the Speaker be authorized to appoint a conference  
committee of three to meet with a like committee from the Senate on  
Senate Amendments to HB 85. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference  
committee of three to meet with a like committee from the Senate  
on HB 521. Motion carried.

Meloy moved that the conference committee on House Amendments to  
SB 125 be dissolved and the Speaker be authorized to appoint a free  
conference committee of three to meet with a like committee from the  
Senate on SB 125. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history  
agreed to, were disposed of in the following manner:

The Conference Committee Report on House Bill No. 90 was adopted by  
the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley,  
Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day,  
Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá,

Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 88

Noes: None.  
Total 0

Excused: Ellerd, Halvorson, Stobie.  
Total 3

Absent or not voting: Bardanouve, Burnett, Colburn, Hurwitz, Lory, Mular, O'Keefe, Severson, Shelden.  
Total 9

The Conference Committee Report on House Bill No. 334 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 90

Noes: None.  
Total 0

Excused: Ellerd, Halvorson, Stobie.  
Total 3

Absent or not voting: Bardanouve, Burnett, Colburn, Hurwitz, O'Keefe, Scully, Shelden.  
Total 7

The Conference Committee Report on Senate Bill No. 65 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 84

Noes: Fagg, Frates, Huennekens, Kennerly, Kvaalen, Metcalf, Waldron.  
Total 7

Excused: Ellerd, Halvorson, Stobie.  
Total 3

Absent or not voting: Colburn, Hurwitz, Mular, O'Keefe, Scully, Shelden.  
Total 6

The Conference Committee Report on House Bill No. 245 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Conroy, Cooney, Courtney, Dassinger, Dussault, Ellis, Ernst, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lory, Lynch, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Robbins, Seifert, Severson, Teague, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.  
Total 55

Noes: Bengtson, Brand, Burnett, Cox, Curtiss, Davis, Day, Ellison, Estenson, Fabrega, Fedá, Hand, Hirsch, Jensen, Johnston, Keyser, Kropp, Lien, Lund, Manuel, Marks, Meyer, Moore, Nathe, Ramirez, Roth, Ryan, Sivertsen, Smith, South, Staigmilller, Tower, Vinger, Wood, Wyrick.  
Total 35

Excused: Ellerd, Halvorson, Stobie.  
Total 3

Absent or not voting: Bradley, Colburn, McLane, O'Keefe, Scully, Shelden, Turner.  
Total 7

Senate Amendments to House Bill No. 141 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Shelden, Sivertsen, Smith, South, Staigmilller, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 89

Noes: Uhde.  
Total 1

Excused: Ellerd, Halvorson, Stobie.  
Total 3

Absent or not voting: Brand, Colburn, Davis, O'Keefe, Scully, Severson, Wood.  
Total 7

Senate Amendments to House Bill No. 355 were concurred in by the following vote:



Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellerd, Halvorson, Stobie.

Total 3

Absent or not voting: Colburn, Ellison, O'Keefe, Scully, Waldron.

Total 5

Senate Amendments to House Bill No. 143 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Seifert, Severson, Shelden, Sivertsen, South, Staigmillar, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 79

Noes: Burnett, Davis, Ellison, Feda, Hirsch, Marks, Nathe, Roth, Smith, Teague, Tower, Tropila, Turner, Vinger.

Total 14

Excused: Ellerd, Halvorson, Stobie.

Total 3

Absent or not voting: Colburn, Lory, O'Keefe, Scully.

Total 4

Senate Bill No. 44 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Smith, South, Staigmillar, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.



Total 88

Noes: Bardanouve, Day, Ellison.

Total 3

Excused: Ellerd, Halvorson, Stobie.

Total 3

Absent or not voting: Colburn, Davis, O'Keefe, Scully, Sivertsen, Wood.

Total 6

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/14/77

Correctly enrolled - HB 55, HB 159, HB 484, HB 513, HB 565,  
HB 599, HB 638, HB 837, HR 3, HJR 92.

Will be signed by the Speaker at 11:40 a.m., 4/14/77 - SB 80.

LABOR AND EMPLOYMENT RELATIONS (Kimble, Chairman): 4/14/77  
SB 166, be concurred in. Report adopted.

## UNFINISHED BUSINESS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on House Amendments to SB 168: Menahan, Chairman; Gilligan and Ellis.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on HB 521: Bradley, Chairman; Gerke and Sivertsen.

House recessed at 11:45 a.m.

House resumed at 3:30 p.m.

Mr. Speaker in the Chair.

## REPORTS OF STANDING COMMITTEES

BILLS (E. Gunderson, Vice-Chairman): 4/14/77

Correctly enrolled - HB 125, HB 330, HB 428, HJR 94.

Were signed by the Speaker on adjournment, 4/13/77 - HJR 59,  
HJR 71, HJR 75.

Will be signed by the Speaker on adjournment, 4/14/77 - SB 100,  
SB 137, SB 237, SJR 2, HB 105, HB 217, HB 247, HB 492,  
HB 589, HB 634, HB 659, HB 718, HB 760, HB 787, HJR 88.

Was signed by the Speaker at 11:40 a.m., 4/14/77 - SB 80.

EDUCATION (Dussault, Chairman): 4/14/77

SB 448, be concurred in. Report adopted.

STATE ADMINISTRATION (Brand, Chairman): 4/14/77

SB 449, be concurred in. Report adopted.

Objection raised by Conroy on 4/14/77 on adverse committee report on SJR 48. Referred to Second Reading.

## COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on SB 125: Lynch, Chairman; Tropila and Marks.

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 85: Dassinger, Chairman; J. Gunderson and Severson.

## REPORTS OF SELECT COMMITTEES

### JOINT CONFERENCE COMMITTEE

#### ON HOUSE BILL NO. 263

Report No. 1, April 13, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 263, met April 13, 1977, and considered:

Senate Committee on State Administration Amendments dated April 2, 1977, and recommend as follows:

Having had under consideration Senate Committee on State Administration Amendments dated April 2, 1977,

That the Senate recede from amendment numbers 7 and (insertion section 4 of) 13. (Due to length, amendment number 13 will not be reprinted. The change made will be indicated in conference committee amendment number 2, further below.) Amendment number 7 reads as follows:

7. Amend page 3, section 2, line 10.

Following: "by"

Strike: "20"

Insert: "the number of years of service the fireman would have had if he had remained in active duty as a member of a fire department until the date he would have both attained age 50 and completed 20 years of service"

And further that the House accede to amendment numbers 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, and (insertion sections 1, 2, 3, and 5 of) 13,

And further that House Bill No. 263, third reading bill, be amended as follows:

1. Amend page 3, section 2, lines 10 through 14.

Following: "by"

Strike: lines 10 through 14 in their entirety

Insert: "the number of years of service the fireman would have had if he had remained in active duty as a member of a fire department until the date he would have both attained age 50 and completed 20 years of service and multiplied by a percentage of the sum last received by the fireman as a monthly compensation, excluding overtime and payments in lieu of sick leave and annual leave, for his services as an active member of the fire department. The percentage equals that which would have been applicable had he remained an active member of a fire department until the date he would have both attained age 50 and completed 20 years of service."

2. Amend amendment no. 13, insertion paragraph section 4.

Strike: insertion paragraph section 4

Insert: "Section 4. Interpretation. This act is not intended to increase or decrease benefits earned by present members under prior acts."

And that the Conference Committee Report on House Bill No. 263 be adopted.

FOR THE HOUSE:

KIMBLE  
PALMER  
BARRETT

FOR THE SENATE:

R. SMITH  
LEE

Report adopted.

FREE JOINT CONFERENCE COMMITTEE  
ON SENATE BILL NO. 382  
Report No. 1, April 14, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 382, met April 14, 1977, and considered:

House Committee on Business and Industry Amendments dated March 30, 1977, and recommend as follows:

That the Senate accede to amendment numbers 1 through 4,

And further that Senate Bill No. 382, third reading bill, be amended as follows:

1. Amend page 1, section 1, line 22.

Following: line 21

Insert: "Evidence may be introduced by the commission on an issue that has not been adequately addressed by any party if the commission first requests counsel of record to address such issue and such counsel fails to introduce sufficient or adequate evidence."

And that the Conference Committee Report on Senate Bill 382 be adopted.

FOR THE SENATE:

TOWE  
BROWN  
RASMUSSEN

FOR THE HOUSE:

QUILICI  
SCULLY  
RAMIREZ

Report adopted.

## MESSAGES FROM THE OTHER HOUSE

House Amendments to the following Bills were  
concurring in by the Senate:

4/14/77

House Amendments to Senate Bill No. 324, introduced by Dunkle, Thiessen, et al

House Amendments to Senate Bill No. 413, introduced by Towe

House Amendments to Senate Joint Resolution No. 43, introduced by Dover, Turnage, et al

## MOTIONS

Scully moved that HB 650 be rereferred from Enrolling to Second Reading. Motion carried.

SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again in Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Fagg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 839 do pass. (76-0)

That HR 4 be not adopted. (59-22)

Stobie present at this time.

That SB 166 be concurred in. (75-8)

That SB 354 be concurred in. (64-8)

That SJR 19 be concurred in. (66-6)

That SJR 48 be passed for the day.

That SB 448 be concurred in. (69-2)

That SB 449 be concurred in. (69-7)

That SA to HB 650 be not concurred in. (78-0)

That the Conference Committee Report on HB 721 be adopted. (80-0)

That the Conference Committee Report on HB 263 be adopted. (81-0)

That the Conference Committee Report on SB 382 be adopted. (79-2)

That HJR 105 be placed below HJR 106.

That HJR 106 do pass. (93-0)

That HJR 105 do pass. (82-1)

That the committee rise and report, and beg leave to sit again. (Fagg, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/14/77

Considered correctly engrossed - HB 834, HB 838, HJR 103, HJR 104.

Correctly enrolled - HB 68, HJR 21.

Correctly printed - HJR 105, HJR 106.

Will be signed by the Speaker on adjournment, 4/14/77 - HB 55, HB 125, HB 159, HB 330, HB 428, HB 484, HB 565, HB 638, HB 837, HJR 92, HJR 94, HR 3.

Examined by the Sponsors and found to be correct - HB 55, HB 68, HB 125, HB 159, HB 330, HB 428, HB 484, HB 565, HB 638, HB 837, HR 3, HJR 21, HJR 92, HJR 94.

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 29

Report No. 1, April 14, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 29 met April 14, 1977, and considered:



Senate Committee on Judiciary Amendments dated March 21, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 21, 1977,

That the Senate recede from amendment numbers 1, 2, 3, 4, 5, and 6, which read as follows:

1. Amend title, line 9.

Following: "to"

Strike: "raise"

Insert: "allow the legislature or the people by initiative to establish"

2. Amend title, lines 10 and 11.

Following: "beverages"

Strike: "to nineteen"

3. Amend page 1, section 1, lines 17 through 20.

Following: "that"

Strike: lines 17 through 20 in their entirety

Insert: "the legislature or the people by initiative may establish the legal age for consuming or possessing alcoholic beverages."

4. Amend page 2, section 3, line 4.

Following: "(raise)"

Strike: "raising"

Insert: "allowing the legislature or the people to establish"

5. Amend page 2, section 3, line 5.

Following: "age"

Strike: "to 19"

6. Amend page 2, section 3, line 6.

Following: "against"

Strike: "raising"

Insert: "allowing the legislature or the people to establish"

Following: "age"

Strike: "to 19"

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 29 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

BENGTSON, Chairman  
MARKS

KOLSTAD, Chairman  
STEPHENS

Report adopted.

FREE JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 595  
Report No. 1, April 14, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 595, met April 14, 1977, and considered:

Senate Committee on Taxation Amendments dated March 22, 1977,

Senate Committee of the Whole Amendments dated March 25, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated March 22, 1977,

That the House accede to amendment number 1.

Having had under consideration Senate Committee of the Whole Amendments dated March 25, 1977,

That the House accede to amendment number 1.

And further that the Senate recede from amendment number 2, reading as follows:

2. Amend page 6, section 2, line 1.

Following: "section."

Insert: "Taxes for the payment of tax increment bonds must be levied only against the taxable property within the urban renewal area."

And further that House Bill No. 595, third reading bill, be amended as follows:

1. Amend page 5, section 2, line 23.

Following: "section"

Strike: ", except that"

Insert: ". Property"

2. Amend page 6, section 2, line 1.

Following: "section."

Insert: "No property taxes, except the tax increment derived from property within the urban renewal area, may be applied to the payment of bonds issued pursuant to section 11-3910 for which a tax increment has been pledged."

3. Amend page 11, section 2, line 14.

Following: "providing"

Strike: "bonds"

Insert: "funds"

And that the Conference Committee Report on House Bill No. 595 be adopted.

FOR THE HOUSE:

METCALF  
COURTNEY  
FAGG

FOR THE SENATE:

LOWE  
STORY  
WATT

Report adopted.

FREE JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 735  
Report No. 1, April 14, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 735, met April 14, 1977, and considered:

Senate Committee on Taxation Amendments dated April 2, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 2, 1977,

That the House accede to amendment numbers 1, 2, and 3,

And further that the Senate recede from amendment number 4, reading as follows:

4. Amend page 2, section 1, line 6.

Following: "chapter 46"

Insert: ", except that, for purposes of computing the deduction allowed by subsection (1)(b) of this section, the book value of United States obligations owned by a bank shall be the average of the book values of the United States obligations owned by a bank shall be the average of the book values of the United States obligations owned by the bank on the last banking day of each of the 12 months of the preceding taxable year"

And further that House Bill No. 735, third reading bill, be amended as follows:

1. Amend page 1, section 1, line 25.

Following: "bank"

Strike: "which is exempt from property taxation"

2. Amend page 2, section 1, line 6.

Following: "chapter 46"

Insert: ", except that, for purposes of computing the deduction allowed by subsection (1)(b) of this section, the book value of United States obligations owned by a bank shall be the average of the book values of the United States obligations owned by the bank on the last banking day of each of the 12 months of the preceding taxable year"

And that the Conference Committee Report on House Bill No. 735 be adopted.

FOR THE HOUSE:

WILLIAMS  
HUENNEKENS  
FEDA

FOR THE SENATE:

NORMAN  
LOCKREM  
MATHERS

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 498  
Report No. 1, April 14, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 498, met April 14, 1977, and considered:

Senate Committee on Judiciary Amendments dated April 4, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated April 4, 1977,

That the Senate recedes from amendment numbers 1, 2, 3, 4, 5, 6, 7, 8, 10, 12, and 13, reading as follows:

1. Amend title, lines 5 and 6.

Following: "attorneys"

Strike: "and the attorney general"

2. Amend page 1, section 1, lines 11 and 12.

Following: "Whenever"

Strike: "the attorney general or"

3. Amend page 1, section 1, lines 16 and 17.

Following: "before"

Strike: "the attorney general or"

4. Amend page 1, section 1, line 21.

Following: "of"

Strike: "the attorney general or"

5. Amend page 1, section 1, line 23.

Following: "issued"

Insert: "and that there is a relevant connection to an existing criminal investigation"

6. Amend page 2, section 2, lines 8 and 9.

Following: "(1)"

Strike: "The attorney general or"

Insert: "Any examination by"

Following: "county attorney"

Strike: "may examine"

Insert: "under this act shall be conducted"

7. Amend page 2, section 2, line 10.

Following: "oath"

Insert: "before the justice or judge who authorized the issuance of the subpoena"

8. Amend page 2, section 2, line 10.

Following: "oath"

Strike: "all witnesses subpoenaed pursuant to this act"

10. Amend page 2, section 3, line 24.

Following: "The"

Strike: "attorney general or the"

12. Amend page 3, section 4, lines 15 through 17.

Following: "The"

Strike: "state shall bear all costs, including the cost of service, when the application for the subpoena is made by the attorney general, and the"

13. Amend page 3, section 4, lines 18 and 19.

Following: "service"

Strike: ", when the application for the subpoena is made by a county attorney"

And further that the House accede to amendment numbers 9 and 11,

And that the Conference Committee Report on House Bill 498 be adopted.

FOR THE HOUSE:

SCULLY  
KENNY  
LORY

FOR THE SENATE:

ROBERTS  
TOWE  
MURRAY

Report adopted.



**MESSAGES FROM THE GOVERNOR**

April 14, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this date approved House Bill Nos. 447, 455, 488 and 635.

Sincerely,

THOMAS L. JUDGE  
Governor

April 14, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 27, 72, 182, and 336.

Sincerely,

THOMAS L. JUDGE  
Governor

**MESSAGES FROM THE OTHER HOUSE**

4/14/77

Senate acceded to the request of the House and the President was authorized to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 156:

Senator Mathers, Chairman  
Senator McOmber  
Senator Olson

4/14/77

Senate acceded to the request of the House and the President was authorized to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 198:

Senator Healy, Chairman  
Senator Goodover  
Senator Bergren

4/14/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 567:

Senator Regan, Chairperson  
Senator Lensink  
Senator Murray

4/14/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 577:

Senator Roskie, Chairman  
Senator Rasmussen  
Senator Jergeson

4/14/77

Senate acceded to the request of the House and the President was authorized to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 627:

Senator Norman, Chairman  
Senator Peterson  
Senator Olson

4/14/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 762:

Senator Jergeson, Chairman  
Senator Roskie  
Senator Brown

4/14/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 772:

Senator Watt, Chairman  
Senator Stephens  
Senator Norman

4/14/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 773:

Senator Mathers, Chairman  
Senator Murphy  
Senator Graham

4/14/77

Senate acceded to the request of the House and the President was authorized to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 800:

Senator Warden, Chairperson  
Senator Murray  
Senator Hazelbaker

### MOTIONS

O'Keefe moved that the conference committee on HB 627 be dissolved. Motion carried.

O'Keefe moved that the House reconsider its action taken yesterday in failing to concur in the Senate Amendments on HB 627 on Second Reading. Motion carried.

O'Keefe moved that HB 627 be placed on Second Reading today. Motion carried.

Scully moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 650. Motion carried.

### **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Fagg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 627 be concurred in. (76-16)

That the committee rise and report. (Fagg, Chairman) Report adopted.

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following bill was introduced read first time and referred to committee:

SB 450, introduced by Stephens (By Request). Referred to Committee on Rules.

### **THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 28 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Gilligan, Harper, Jensen, Lien, O'Keefe, Ryan, Wood.

Total 9

Senate Joint Resolution No. 44 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lund, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Severson, Shelden, Sivertsen, South, Staigmillier, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 72

Noes: Bertelsen, Burnett, Cox, Curtiss, Davis, Ellison, Eudaily, Keyser, Kropp, Lory, McLane, Moore, Roth, Seifert, Smith, Stobie, Tower, Turner, Wood, Wyrick.

Total 20

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Gilligan, Jensen, Lien, O'Keefe, Ryan.

Total 6

Conference Committee Report on House Bill No. 721 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Pistoria.

Total 1

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Bradley, Colburn, Gilligan, Jensen, Lien, O'Keefe, Ryan.

Total 7

Conference Committee Report on House Bill No. 263 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane,



Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Gilligan, Jensen, O'Keefe, Ryan.

Total 5

Conference Committee Report on Senate Bill No. 382 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Lynch, Quilici.

Total 2

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Gilligan, Jensen, O'Keefe, Ryan.

Total 5

Senate Amendments to House Bill No. 627 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Porter, Ramirez, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Ellison, Gould, Lynch, Mular, Quilici, Robbins, Roth, Ryan, Seifert, Smith, Teague, Tower, Tropila, Turner, Vinger.

Total 15

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Ernst, Jensen, O'Keefe, Stobie.

Total 5

## REPORTS OF SELECT COMMITTEES

### JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 411

Report No. 1, April 14, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 411, met April 14, 1977, and considered:

Senate Committee on Judiciary Amendments dated March 25, 1977,

Senate Committee of the Whole Amendments dated March 31, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 25, 1977,

That the Senate recede from amendment number 6 reading as follows:

6. Amend page 2, section 1, line 22 through line 3 on page 3.

Following: line 21

Strike: subsection (3) in its entirety

Renumber: all subsequent subsections

And further that the House accede to amendment numbers 1, 2, 3, 4, 5, and 7.

Having had under consideration Senate Committee of the Whole Amendments dated March 31, 1977,

That the Senate recede from (insertion subsection (12) of section 1,) amendment 2. (Due to length, amendment number 2 will not be reprinted. The change made will be indicated in conference committee amendment number 1, further below.)

And further that the House accede to amendment number 1 and amendment number 2 (Section 1, subsections (1) through (11) and Sections 2, 3, 4, and 5).

And further that House Bill No. 411, third reading bill, be amended as follows:

1. Amend amendment number 2 (insertion paragraph section 1, subsection (12)).

Strike: subsection (12) in its entirety

Insert: "(12) 'Seriously developmentally disabled' means developmentally disabled due to developmental or physical disability or a combination of both rendering a person unable to function in a community-based setting and which has resulted in self-inflicted injury or injury to others, or the imminent threat thereof; or which has deprived the person afflicted of the ability to protect his life or health."

And that the Conference Committee Report on House Bill No. 411 be adopted.

FOR THE HOUSE:

DUSSAULT  
MELOY  
TOWER

FOR THE SENATE:

MURRAY  
LENSINK  
REGAN

Report adopted.

**MESSAGES FROM THE OTHER HOUSE**

4/14/77

Senate, on 4/13/77, acceded to the request of the House and authorized the President to appoint the following Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 595:

Senator Lowe, Chairman  
Senator Story  
Senator Watt**UNFINISHED BUSINESS**

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 650: Scully, Chairman; Tropila and Keyser.

Meloy moved that the House adjourn until 9:00 a.m., April 15, 1977.

Motion carried.

House adjourned at 5:25 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk





## EIGHTY-SEVENTH LEGISLATIVE DAY

Helena, Montana  
April 15, 1977

House Chambers  
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Halvorson, excused; Kimble, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/15/77  
Considered correctly engrossed - HB 839, HJR 105, HJR 106.

Will be signed by the Speaker at 11:00 a.m., 4/15/77 - HB 68, HB 801, HJR 21.

Were signed by the Speaker on adjournment, 4/14/77 - HB 55, HB 105, HB 125, HB 148, HB 159, HB 217, HB 247, HB 330, HB 428, HB 484, HB 492, HB 565, HB 589, HB 634, HB 638, HB 659, HB 718, HB 760, HB 787, HB 837, HR 3, HJR 88, HJR 92, HJR 94, SB 80, SB 100, SB 137, SB 237, SJR 2.

Examined by Sponsor and found to be correct - HB 801.

Correctly enrolled - HB 178, HB 215, HB 239, HB 407, HB 494, HB 719.

### REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 772  
Report No. 1, April 14, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 772, met April 14, 1977, and considered:

Senate Committee on Public Health, Welfare and Safety Amendments dated April 2, 1977,

Senate Committee of the Whole Amendments dated April 6, 1977, and recommend as follows:

Having had under consideration Senate Committee on Public Health, Welfare and Safety Amendments dated April 2, 1977,

That the House accede to amendment numbers 1 through 12.

Having had under consideration Senate Committee of the Whole Amendments dated April 6, 1977,

That the House accede to amendment number 1,

And further that House Bill 772, third reading bill, be amended as follows:

1. Amend page 8, section 4.

Following: line 2

Insert: "(5) The council may adopt rules governing its own organization and procedures.

(6) A majority of the members of the council constitutes a quorum for the transaction of business.

(7) The council may employ and fix the compensation and duties of necessary staff.

(8) A council member, unless he is a full-time salaried officer or employee of this state or any of the political subdivisions of this state, is entitled to be paid in an amount to be determined by the council, not to exceed \$25 for each day in which he is actually and necessarily engaged in the performance of council duties. A council member is also entitled to be reimbursed for travel expenses incurred while in the performance of council duties, as provided for in 59-538, 59-539, and 59-801. Members who are full-time salaried officers or employees of this state or any political subdivisions of this state are not entitled to be compensated for their service as members but are entitled to be reimbursed for travel expenses, as provided for in 59-538, 59-539, and 59-801."

Renumber: subsequent subsections

2. Amend page 8, section 4, line 13.

Following: "department"

Insert: "for administrative purposes only and, unless inconsistent with the provisions of this section, the provisions of 82A-108 apply"

And that the Conference Committee Report on House Bill No. 772 be adopted.

FOR THE HOUSE:

DUSSAULT  
BENGTON  
BARRETT

FOR THE SENATE:

WATT  
STEPHENS  
NORMAN

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/14/77

Bills on Committee Report not concurred in by the Senate, reports adopted, and returned to the House:

House Bill No. 233, introduced by South

House Bill No. 272, introduced by Meloy, Estenson, et al

House Bill No. 450, introduced by Kanduch, Menahan, et al

House Bill No. 532, introduced by Dussault, Gerke, et al

House Bill No. 663, introduced by Hager, Cooney, Palmer

House Bill No. 756, introduced by Frates, Holmes, et al

House Bill No. 829, introduced by Driscoll, Meloy

House Bill No. 833, introduced by Holmes, Waldron, et al

House Bill No. 835, introduced by Kessler, Palmer, Estenson

4/14/77

Bill on Committee Report not concurred in as amended, by the Senate, report adopted, and returned to the House:

House Bill No. 654, introduced by Meloy, Dussault

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 834 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Keyser, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 78

Noes: Burnett, Jensen, Kropp, Nathe, Seifert, Smith, Tower, Wyrick.

Total 8

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Aageson, Bardanouve, Dassinger, Kennerly, Kessler, Kimble, Meyer, O'Keefe, Scully, Teague, Wood.

Total 11

Abstained: Estenson; husband is a state employee.

Total 1

House No. 838 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Cox, Curtiss, Day, Dussault, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Moore, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, South, Staigmillier, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 76

Noes: Burnett, Davis, Feda, J. Gunderson, Johnston, Kanduch, Menahan, Nathe, Roth, Smith, Stobie, Tower, Turner, Vinger.

Total 14

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Aageson, Bardanouve, Dassinger, Estenson, Kimble, Meyer, O'Keefe, Teague.

Total 8

House Joint Resolution No. 103 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kessler, Lien, Lory, Lund, Lynch, Manuel, Marks, Meloy, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Robbins, Scully, Sheldon, Sivertsen, South, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 57

Noes: Barrett, Burnett, Cox, Curtiss, Davis, Ellison, Ernst, Feda, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kropp, Kvaalen, McLane, Menahan, Moore, Nathe, Porter, Ramirez, Roth, Ryan, Seifert, Severson, Smith, Staigmiller, Stobie, Teague, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 35

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Aageson, Bardanouve, Dassinger, Kimble, Meyer, O'Keefe.

Total 6

House Joint Resolution No. 104 was passed by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Colburn, Conroy, Cooney, Courtney, Cox, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch, Kennerly, Kessler, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Metcalf, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Seifert, Sheldon, Sivertsen, South, Stobie, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 63

Noes: Brand, Burnett, Curtiss, Davis, Ernst, Fabrega, Feda, Hurwitz, Jensen, Johnston, Kenny, Keyser, Kropp, Kvaalen, Menahan, Moore, Nathe, Roth, Ryan, Severson, Smith, Staigmiller, Tower, Turner, Underdal, Vinger, Wyrick.

Total 27

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Aageson, Bardanouve, Bertelsen, Dassinger, Kimble, Meyer, O'Keefe, Teague.

Total 8

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE

#### ON SENATE BILL NO. 401

Report No. 1, April 13, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 401, met April 13, 1977, and considered:

House Committee on State Administration Amendments dated March 24, 1977, and recommend as follows:

Having had under consideration House Committee on State Administration Amendments dated March 24, 1977,



That the House recede from amendment numbers 2, 3, 5, 6, 8, and 9, reading as follows:

2. Amend page 6, section 3, subsection (1), line 19.

Following: "department"

Insert: "and the state fire marshal"

3. Amend page 7, section 3, subsection (3), line 5.

Following: "adopted"

Strike: "and a plan for enforcement of the code have been approved by the department"

Insert: "has been approved by the department and a plan for the enforcement of the code has been filed with the department and the state fire marshal"

5. Amend page 23, section 17, subsection (1), line 21.

Following: "administration"

Insert: "and the state fire marshal"

6. Amend page 24, section 17, subsection (2), line 5.

Following: "administration"

Insert: "and the state fire marshal"

8. Amend page 25, section 19, line 13.

Following: "except"

Insert: "the state fire marshal and"

9. Amend page 25, section 19, line 14.

Following: "69-2105."

Insert: "The state fire marshal shall assign personnel to the department to review building plans and regulations for conformity with rules promulgated by the state fire marshal and the department of administration."

And further that the Senate accede to amendment numbers 1, 4, 7, and 10,

And further that Senate Bill 401, third reading bill, be amended as follows:

1. Amend page 7, section 3, subsection (3), line 6.

Following: "been"

Strike: "approved by"

Insert: "filed with"

2. Amend page 25, section 19, line 14.

Following: "69-2105"

Strike: "."

Insert: ", except the state fire marshal may promulgate regulations relating to use of buildings and installation of equipment. The state fire marshal shall review building plans and regulations for conformity with rules promulgated by the department of administration."

And that the Conference Committee Report on Senate Bill No. 401 be adopted.

FOR THE SENATE:

LOWE  
MURPHY  
PETERSON

FOR THE HOUSE:

BRAND  
LIEN  
FAGG

Report adopted.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Cooney in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 29 be adopted. (69-21)

That the Conference Committee Report on HB 411 be adopted. (84-0)

That the Conference Committee Report on HB 498 be adopted. (87-0)

That the Conference Committee Report on HB 595 be adopted. (88-2)

That the Conference Committee Report on HB 735 be adopted. (84-3)

That SJR 48 be amended as follows:

1. Amend page 2, lines 21 through 24.

Following: "shall" on line 21

Strike: lines 21 through 24 in their entirety

Insert: "conform to the requirements of 89-872(2)."

2. Amend page 2, line 25 through line 2 on page 3.

Following: "(2)"

Strike: "advertising through the news media and other available means the request for declarations of claimed rights and applications for reservations and also" (90-3)

And as amended, be concurred in. (57-28)

That SA to HB 816 be not concurred in. (78-3)

That SA to HJR 91 be concurred in. (84-0)

That the committee rise and report and beg leave to sit again. (Cooney, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/15/77

Correctly enrolled - HB 41, HB 422, HB 791.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

4/15/77

Recommend that at the close of business April 9, 1977, the following be terminated:

Rita Tenneson ..... Subcommittee Secretary

And at the close of business April 12, 1977, the following also be terminated:

Debbie Jakovac.....Committee Secretary

And at the close of business April 15, 1977, the following also be terminated:

Evelyn Kranich.....Stenographer

Patricia Romine.....Committee Secretary

Veronica Ryan.....Secretary to Assistant Chief Clerk

Report adopted.

## AGRICULTURE, LIVESTOCK AND IRRIGATION

(Day, Chairman):

4/15/77

SJR 49, be concurred in. Report adopted.

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE

ON SENATE BILL NO. 31

Report No. 1, April 13, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill 31, met April 13, 1977, and considered:

House Committee on Taxation Amendments, dated April 7, 1977, and recommend as follows:

That the House recede from amendments 1, 2, and 5, which read as follows:

1. Amend title, line 7.

Following: "exemptions;"

Insert: "providing an effective date;"

2. Amend page 1, section 1, line 13.

Following: line 13

Insert: "Section 1. Section 91-4405, R.C.M. 1947, is amended to read as follows:

'91-4405. Joint estates, government bonds, tenants by the entirety, joint bank accounts, and similarly held property. Whenever any property, however acquired, real or personal, tangible or intangible, including government bonds of the United States, is inscribed in (co-ownership) coownership form, (or) held by two or more persons in joint tenancy (by two or more persons,) or as tenants by the entirety, or is deposited in any bank or other depository in the joint names of two or more persons and payable to the survivor or survivors of them upon the death of one of them, the right of the survivor or survivors to the immediate possession or ownership is a taxable transfer. The tax is upon the transfer of (decendent's interest, one-half or other proper fraction, as evidenced by the written instrument creating the same, as though the property to which the transfer relates belonged to the joint tenants, tenants by the entirety, joint depositories, holders in co-ownership form, or persons, as tenants in common, and had been, for inheritance tax purposes, bequeathed or devised to the survivor or survivors by will, except such part thereof as may be shown to have originally belonged to the survivor and never to have belonged to the decedent.) the full value of the property, except that portion owned by the survivor. (This section shall not be construed to repeal or modify the provisions of section 91-4402.)"

Renumber: subsequent sections

5. Amend page 14, section 6, line 5.

Following: line 5

Insert: "Section 6. Effective date. This act is effective on passage and approval."

And further that Senate Bill 31, third reading copy, be amended as follows:

1. Amend page 1, section 1, line 13.

Following: line 13

Insert: "Section 1. Section 91-4405, R.C.M. 1947, is amended to read as follows:

'91-4405. Joint estates, government bonds, tenants by the entirety, joint bank accounts, and similarly held property. Whenever any property, however acquired, real or personal, tangible or intangible, including government bonds of the United States, is inscribed in (co-ownership) coownership form, (or) held by two or more persons in joint tenancy (by two or more persons,) or as tenants by the entirety, or is deposited in any bank or other depository in the joint names of two or more persons and payable to the survivor or survivors of them upon the death of one of them, the right of the survivor or survivors to the immediate possession or ownership is a taxable transfer. The tax is upon the transfer of decedent's interest, one-half or other proper fraction, as evidenced by the written instrument creating the same, as though the property to which the transfer relates belonged to the joint tenants, tenants by the entirety, joint depositors, holders in (co-ownership) coownership form, or persons, as tenants in common, and had been, for inheritance tax purposes, bequeathed or devised to the survivor or survivors by will, except such part thereof as may be shown to have originally belonged to the survivor and never to have belonged to the decedent when the surviving joint tenant is a spouse of the decedent. In all other cases the full value of the property shall be taxable except such portion thereof that originally belonged to the survivor and as to which the decedent had made no contribution; if the decedent had made a contribution to the ownership of such property the amount of such contribution shall be taxable. This section shall not be construed to repeal or modify the provisions of section 91-4402."

Renumber: subsequent section

And that the Senate accede to amendment numbers 3 and 4,

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on Senate Bill No. 31 be adopted.

FOR THE SENATE:

MATHERS  
MURPHY  
TURNAGE

FOR THE HOUSE:

HUENNEKENS  
HIRSCH  
FABREGA

Report adopted.

#### MESSAGES FROM THE OTHER HOUSE

4/14/77

House Bill No. 117, introduced by Brand, Menahan, et al, requiring adop-



tion by an affirmative roll call vote of two-thirds of all the members of the legislature, failed to pass the Senate on roll call vote and is returned to the House with the following vote:

## SENATE

YEAS - 5  
NAYS - 44

## HOUSE OF REPRESENTATIVES

YEAS - 66  
NAYS - 28

4/14/77

Bill concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 145, introduced by Driscoll, Meloy

4/14/77

Governor's Amendments to House Bill No. 370 were concurred in by the Senate on roll call vote.

4/14/77

House Amendments to Senate Bill No. 421, introduced by Thomas, concurred in by the Senate on roll call vote.

4/14/77

Senate, on roll call vote, adopted the following Conference Committee reports:

Conference Committee on House Amendments to Senate Bill No. 65

Conference Committee on Senate Amendments to House Bill No. 90

Conference Committee on Senate Amendments to House Bill No. 334

Free Conference Committee on House Bill No. 245

## MOTIONS

Jensen moved that he be allowed to change his vote from no to yes on SJR 48 on Second Reading. Motion carried.

Estenson moved that the journal reflect her abstention on HB 834 on Third Reading since her husband is a state employee. Motion carried.

Meloy moved that the rules be suspended to allow the late introduction into the House of SB 450. Motion carried.

## THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Conference Committee Report on House Bill No. 29 was adopted by the following vote:

Ayes: Aageson, R. Baeth, Bengtson, Burnett, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fed, Frates, Gerke, Hand, Hansen, Hurwitz, Jensen, Johnston, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, McLane, Manuel, Menahan, Meyer, Nathe, Pistoria, Porter, Ramirez, Roth, Ryan, Scully, Seifert, Severson, Sivertsen, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick.  
Total 57

Noes: W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Cooney, Courtney, Dussault, Ellis, Estenson, Gilligan, Gould, E. Gunderson, J. Gunderson, Harper, Harrington, Hirsch, Holmes, Huennekens, Kanduch,

Lory, Lynch, Marks, Meloy, Metcalf, Moore, Mular, O'Connell, O'Keefe, Quilici, Robbins, Shelden, Smith, South, Uhde, Waldron, Mr. Speaker.  
Total 38

Excused: Ellerd, Halvorson.  
Total 2

Absent or not voting: Colburn, Kimble, Palmer.  
Total 3

The Conference Committee Report on House Bill No. 411 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 91

Noes: None.  
Total 0

Excused: Ellerd, Halvorson.  
Total 2

Absent or not voting: Colburn, Fabrega, Holmes, Kimble, Pistoria, Sivertsen, South.  
Total 7

The Conference Committee Report on House Bill No. 498 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 92

Noes: None.  
Total 0

Excused: Ellerd, Halvorson.  
Total 2

Absent or not voting: Bardanouve, Colburn, Kimble, Lynch, Quilici, Sivertsen.  
Total 6

The Conference Committee Report on House Bill No. 595 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: Pistoria, Staigmiller.

Total 2

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Kimble, South.

Total 3

The Conference Committee Report on House Bill No. 735 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Kimble, Lynch, Quilici, South.

Total 5

Senate Amendments to House Joint Resolution No. 91 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel,



Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Huennekens, Kimble, O'Connell, Quilici, South.

Total 6

Senate Bill No. 192 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 89

Noes: Brand, J. Gunderson, Staigmiller.

Total 3

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Davis, Kimble, Quilici, South, Wood.

Total 6

Senate Joint Resolution No. 19 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 83

Noes: Burnett, Curtiss, Ernst, Hurwitz, Kennerly, McLane, Roth, Stobie, Turner, Wyrick.

Total 10

Excused: Ellerd, Halvorson.

Total 2



Absent or not voting: Colburn, Ellison, Fagg, Kimble, Marks.  
Total 5

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Cooney in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to HB 145 be not concurred in. (80-9)

That SJR 49 be amended as follows:

1. Amend page 1, lines 18 and 19.

Following: "bushel"

Strike: "for wheat raised during 1976 and 1977"

2. Amend page 1, lines 21 and 22.

Following: "production"

Strike: "or replant to rangeland grasses (excluding grasses used for the production of hay)"

3. Amend page 1, line 23.

Following: "wheat"

Strike: ", barley, or corn"

4. Amend page 2, line 1.

Strike: "the"

Following: "production"

Strike: "of the above crops"

Following: "receive"

Strike: "the benefit"

5. Amend page 2, line 2.

Strike: "of" (73-7)

And as amended, be concurred in. (79-3)

That the committee rise and report and beg leave to sit again. (Cooney, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/15/77

Correctly engrossed - HB 31.

Correctly enrolled - HJR 96.

Examined by Sponsors and found to be correct - HB 41, HB 178, HB 215, HB 239, HB 407, HB 422, HB 494, HB 513, HB 599, HB 719, HB 791, HJR 96.

## MOTIONS

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on HB 816. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee of six to meet with a like committee from the Senate on HB 145. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following to a free conference committee of three to meet with a like committee from the Senate on HB 816: Dussault, Chairman; Estenson and Lory.

House recessed at 10:50 a.m.

House resumed at 2:30 p.m.

Mr. Speaker in the Chair.

### COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free conference committee of six to meet with a like committee from the Senate on HB 145: Bardanoue, Chairman; Lynch, Marks, South, Bradley and Lund.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/15/77

Will be signed by the Speaker on adjournment, 4/15/77 - HB 41, HB 178, HB 215, HB 239, HB 407, HB 422, HB 494, HB 513, HB 599, HB 719, HB 791, HJR 96, SB 102, SB 150, SB 209, SB 311, SB 442.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 2:00 p.m., 4/15/77 - HB 55, HB 125, HB 126, HB 147, HB 151, HB 159, HB 164, HB 177, HB 197, HB 251, HB 280, HB 286, HB 318, HB 320, HB 324, HB 330, HB 352, HB 356, HB 389, HB 428, HB 484, HB 487, HB 493, HB 512, HB 560, HB 565, HB 585, HB 587, HB 589, HB 617, HB 634, HB 638, HB 644, HB 647, HB 659, HB 664, HB 718, HB 724, HB 760, HB 787, HB 810, HB 837.

Correctly enrolled - HB 123, HB 182, HB 627, HJR 25.

### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

4/15/77

HR 5, be amended as follows:

1. Amend page 3, line 9.

Strike: "30. Jack Melhose, to assist Rep. Gould"

And as amended, do pass. Report adopted.

RULES (Meloy, Chairman):

4/15/77

SB 450, be concurred in. Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/15/77

Senate, on motion, requests the return of the following House Bills for further consideration:

House Bill No. 272, introduced by Meloy, Estenson, et al

House Bill No. 835, introduced by Kessler, Palmer, Estenson

### MOTIONS

Meloy moved that the House accede to the request of the Senate and

return HB 272 and HB 835 to them for further consideration. Motion carried.

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Cooney in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 772 be adopted. (89-0)

That the Conference Committee Report on SB 31 be adopted. (87-0)

That the Conference Committee Report on SB 401 be adopted. (87-2)

That SB 450 be concurred in. (82-3)

That the committee rise and report and beg leave to sit again. (Cooney, Chairman) Report adopted.

## THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 42 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kropp, Lien, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Moore, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 74

Noes: Bardanouve, Bertelsen, Brand, Fabrega, E. Gunderson, Hansen, Keyser, Lory, McLane, Meyer, Pistoria, Roth, Severson, Vincent, Vinger.

Total 15

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Jensen, Kessler, Kimble, Kvaalen, Marks, Mular, Shelden, Tower.

Total 9

The Conference Committee Report on House Bill No. 772 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E.

Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Kessler, Kimble, Kvaalen, Mular, Tower, Turner.

Total 7

The Conference Committee Report on Senate Bill No. 31 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: Hand.

Total 1

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Kessler, Kimble, Mular, Tower.

Total 5

The Conference Committee Report on Senate Bill No. 401 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90



Noes: Frates, Ryan.

Total 2

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Day, Kessler, Kimble, Mular, Tower.

Total 6

### **FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS**

The following bill was introduced, read first time and referred to committee:

HB 841, introduced by Conroy. Referred to Committee on Appropriations.

House recessed at 2:55 p.m.

House resumed at 5:00 p.m.

Mr. Speaker in the Chair.

### **REPORTS OF STANDING COMMITTEES**

Kimble present at this time.

BILLS (Quilici, Chairman):

4/15/77

Will be signed by the Speaker at 2:30 p.m., 4/15/77 - HB 627.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 3:15 p.m., 4/15/77 - HB 627.

Will be signed by the Speaker at 4:45 p.m., 4/15/77 - HB 143.

Examined by Sponsor and found to be correct - HB 627.

### **REPORTS OF SELECT COMMITTEES**

#### **FREE JOINT CONFERENCE COMMITTEE**

##### **ON HOUSE BILL NO. 4**

Report No. 2, April 14, 1977

Mr. President and Speaker of the House:

We your Free Joint Conference Committee on House Bill No. 4, met April 14, 1977, and considered:

Senate Committee on Judiciary Amendments dated March 11, 1977,

Senate Committee of the Whole Amendments dated March 14, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 11, 1977,

That the House accede to amendment numbers 1, 2, and 3.

Having had under consideration Senate Committee of the Whole Amendments dated March 14, 1977,

That the Senate recede from amendment number 1, reading as follows:

1. Amend page 3, section 3, lines 18 and 19.

Following: "act"

Strike: "are to be filled initially in the same manner as judicial vacancies are filled"

Insert: "shall be filled initially at the 1978 general election"

And further that House Bill No. 4, third reading bill, be amended as follows:

1. Amend page 3, section 3, line 18.

Following: "act"

Strike: "are to be filled initially in the same manner as judicial vacancies are filled"

Insert: "in previously existing districts shall be filled initially at the 1978 general election and shall take office on January 1, 1979. The judge in the 19th judicial district shall be appointed by the governor under the provisions of 93-705 through 93-717"

And that the Conference Committee Report on House Bill No. 4 be adopted.

FOR THE SENATE:

LOCKREM  
LENSINK  
ROBERTS

FOR THE HOUSE:

KESSLER  
DAVIS

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 302  
Report No. 1, April 14, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 302, met April 14, 1977, and considered:

Senate Committee on State Administration Amendments dated April 2, 1977,

Senate Committee of the Whole Amendment dated April 6, 1977, and recommend as follows:

Having had under consideration Senate Committee on State Administration Amendments dated April 2, 1977,

That the Senate recede from amendments 3, 4, and 8 reading as follows:

3. Amend page 1, section 1, lines 18 and 19.

Following: "(or)"

Insert: "bodies, boards, bureaus, commissions, or"

Following: "agencies"

Strike: "(as defined in 82-4227)"

Insert: "other than conference, caucus, subcommittee, or other meetings not governed by Article V, section 10, of the Montana constitution,"

4. Amend page 2, section 1, line 12.

Following: "agency."

Insert: "Meetings of the legislature governed by Article V, section 10, of the Montana constitution may not be closed."

8. Amend page 5.

Following: line 3

Insert: "Section 5. There is a new R.C.M. section in Title 82, Chapter 34, that reads as follows:

Recording. All or any part of a meeting of a public body or agency required to be open may be recorded by any person in attendance, by means of a tape recorder or any other means of sonic reproduction, as long as the act of recording does not actively interfere with the conduct of the meeting."

Renumber: subsequent sections

And further, that the House accede to amendments 1, 2, 5, 6, 7, 9, and 10.

Having had under consideration Senate Committee of the Whole Amendment dated April 6, 1977,

That the House accede to the amendment,

And further, that House Bill No. 302, third reading bill, be amended as follows:

1. Amend page 1, section 1, line 18.

Following: "(or)"

Insert: "bodies, boards, bureaus, commissions, or"

Following: "agencies"

Strike: "(as defined in 82-4227)"

2. Amend page 5.

Following: line 3

Insert: "Section 5. There is a new R.C.M. section in Title 82, chapter 34, that reads as follows:

Recording. Accredited press representatives may not be excluded from any open meeting under this act and may not be prohibited from taking photographs, televising, or recording such meetings. The presiding officer may assure that such activities do not interfere with the conduct of the meeting."

Renumber: subsequent sections

(Material in parentheses denotes cancelled type.)

And further, that the Conference Committee Report on House Bill No. 302 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

MELOY  
BRADLEY  
KEYSER

BLAYLOCK  
RASMUSSEN  
ROSKIE

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON HOUSE AMENDMENTS TO SENATE BILL NO. 130  
Report No. 1, April 15, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 130, met April 15, 1977, and considered:

House Committee on Taxation Amendments dated April 4, 1977, and

House Committee of the Whole Amendment dated April 6, 1977, and recommend as follows:

Having had under consideration House Committee on Taxation Amendments dated April 4, 1977,

That the Senate accede to amendment numbers 1 and 2.

Having had under consideration House Committee of the Whole Amendments dated April 6, 1977,

That the House recede from amendment number 1, which reads as follows:

1. Amend page 2, section 1, line 7.

Following: "system"

Strike: "and other public educational institutions"

And that the Conference Committee Report on Senate Bill No. 130 be adopted.

FOR THE SENATE:

HIMSL  
FASBENDER  
BLAYLOCK

FOR THE HOUSE:

VINCENT  
HIRSCH  
BERTELSEN

Report adopted.

### MOTIONS

Meloy moved that the free conference committee on Senate Bill 125 be dissolved and that a new free conference committee be appointed on Senate Bill 125. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 166 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Ryan, Staigmilller, Teague, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 71

Noes: Burnett, Davis, Lund, Roth, Seifert, Wood.

Total 6

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Bardanouve, Colburn, Cox, Day, Ellison, Fabrega, E. Gunderson, Kennerly, Lynch, Meyer, Moore, Quilici, Scully, Severson, Shelden, Sivertsen, Smith, South, Stobie, Tower, Uhde.

Total 21

Senate Bill No. 354 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Curtiss, Dassinger, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston,



Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Ryan, Seifert, Severson, Staigmiller, Stobie, Teague, Tropila, Turner, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 71

Noes: Burnett, J. Gunderson, Jensen, Roth, Underdal.

Total 5

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: W. Baeth, Bardanouve, Colburn, Cox, Davis, Day, Ellison, Fabrega, E. Gunderson, Hand, Kennerly, Kvaalen, Lynch, Quilici, Scully, Shelden, Sivertsen, Smith, South, Tower, Uhde, Wood.

Total 22

Senate Bill No. 445 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Smith, Staigmiller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 81

Noes: J. Gunderson, Stobie.

Total 2

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Bardanouve, Colburn, Cox, Day, Ellison, Fabrega, E. Gunderson, Kennerly, Lynch, Quilici, Scully, Shelden, Sivertsen, South, Tower.

Total 15

Senate Bill No. 448 was concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Smith, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Keyser, Nathe, Ryan.

Total 3

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Bardanouve, Colburn, Cox, Day, Ellison, Fabrega, E. Gunderson, Kennerly, Lynch, Meloy, Quilici, Scully, Sivertsen, South, Tower.

Total 15

Senate Bill No. 449 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Smith, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: J. Gunderson, Jensen.

Total 2

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Bardanouve, Colburn, Cox, Davis, Ellison, Fabrega, E. Gunderson, Kennerly, Lynch, Quilici, Shelden, Sivertsen, South.

Total 13

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Cooney in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 4 be adopted. (77-16)

That the Conference Committee Report on HB 302 be adopted. (87-0)

That the Conference Committee Report on SB 130 be adopted. (68-25)

That the committee rise and report. (Cooney, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/15/77

Correctly enrolled - HB 143, HB 301, HB 491.

Was signed by the Speaker at 2:30 p.m., 4/15/77 - HB 627.

Was signed by the Speaker at 4:45 p.m., 4/15/77 - HB 143.

Examined by Sponsor and found to be correct - HB 143.

**REPORTS OF SELECT COMMITTEES****JOINT CONFERENCE COMMITTEE****ON HOUSE BILL NO. 800**

Report No. 1, April 15, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 800, met April 15, 1977, and considered:

Senate Committee on Judiciary Amendments dated April 1, 1977, and recommend as follows:

That the House accede to amendment numbers 1, 2, and 3,

And that the Conference Committee Report on House Bill No. 800 be adopted.

FOR THE HOUSE:

HOLMES  
KIMBLE  
RAMIREZ

FOR THE SENATE:

WARDEN  
MURRAY  
HAZELBAKER

Report adopted.

**JOINT CONFERENCE COMMITTEE****ON HOUSE BILL NO. 650**

Report No. 1, April 15, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 650, met April 15, 1977, and considered:

Senate Committee on Highways and Transportation Amendments dated March 18, 1977,

Senate Committee on Highways and Transportation Amendments dated March 25, 1977, and recommend as follows:

Having had under consideration Senate Committee on Highways and Transportation Amendments dated March 18, 1977,

That the Senate recede from amendment numbers 1 through 7, reading as follows:

1. Amend page 4, section 1, line 11.

Following: "(i)"

Strike: ", "

Insert: "and"

Following: "(ii)"

Strike: ", and (iv)"

2. Amend page 4, section 1, line 12.

Following: "provide"

Strike: ":",

3. Amend page 4, section 1, lines 13 through 17.

Following: line 12

Strike: subsection (i) in its entirety

4. Amend page 4, section 1, line 18.

Strike: "(ii)"

5. Amend page 4, section 1, line 23 through line 1 on page 5.

Following: "license"

Strike: "shall certify under oath that the applicant sold in excess of (10) 12 used motor vehicles during the previous calendar year.

In lieu of this requirement, a new applicant for a used motor vehicle dealer license,"

6. Amend page 5, section 1, line 6.

Strike: "\$150"

Insert: "\$300"

7. Amend page 5, section 1, lines 11 through 16.

Following: line 10

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

Having had under consideration Senate Committee on Highways and Transportation Amendments dated March 25, 1977,

That the House accede to amendment numbers 1 through 7,

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 650 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

SCULLY  
TROPILA  
KEYSER

HAGER  
R. SMITH

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/15/77

Senate acceded to the request of the House and the President was authorized to appoint the following Conference Committee to confer on Senate Amendments to House Bill No. 650:

Senator Hager, Chairman  
Senator R. Smith  
Senator Etchart

4/15/77

House Bill No. 213, introduced by Gerke, Lynch, J. Gunderson, et al, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, failed to pass the Senate on roll call vote, and is returned to the House with the following vote:

SENATE

HOUSE OF REPRESENTATIVES

YEAS - 18  
NAYS - 30

YEAS - 61  
NAYS - 39

Bills, on 4/14/77, concurred in by the Senate,  
and returned to the House:

4/15/77

House Bill No. 295, introduced by Ellis, Estenson, et al

House Bill No. 378, introduced by Porter, Ramirez

House Bill No. 693, introduced by Meloy, Bradley



## MOTIONS

Shelden moved that the conference committee on House Amendments to SB 198 be dissolved and that a free conference committee be appointed on SB 198. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Conference Committee Report on House Bill No. 4 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, Sivertsen, South, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick.

Total 83

Noes: Burnett, Dussault, Estenson, Frates, Huennekens, Lynch, Meloy, Metcalf, Smith, Staigmiller, Stobie, Vinger, Mr. Speaker.

Total 13

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Colburn, Severson.

Total 2

Conference Committee Report on House Bill No. 302 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Shelden, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Burnett, Ellison, Lien, Sivertsen, Smith.

Total 5

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Brand, Colburn, Davis, Jensen, Severson.

Total 5

Conference Committee Report on Senate Bill No. 130 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellis, Ernst, Estenson, Eudaily, Fagg, Feda, Frates, Gerke, Gilligan, Gould, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Metcalf, Mular, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Seifert, Shelden, South, Staigmiller, Stobie, Teague, Tower, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 70

Noes: Aageson, Bradley, Burnett, Conroy, Davis, Dussault, Ellison, Fabrega, E. Gunderson, J. Gunderson, Keyser, Marks, Menahan, Moore, Nathe, O'Keefe, Roth, Ryan, Scully, Sivertsen, Smith, Tropila, Vincent.

Total 23

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Brand, Colburn, Meyer, O'Connell, Severson.

Total 5

### UNFINISHED BUSINESS

The Speaker appointed the following to a new free conference committee of three to meet with a like committee from the Senate on SB 125: Waldron, Chairman; Palmer and O'Keefe.

The Speaker appointed the following to a free conference committee of three to meet with a like committee from the Senate on SB 198: Shelden, Chairman; Day and Eudaily.

### MOTIONS

Lynch moved that the House reconsider its action in moving for a new free conference committee on SB 125. Motion carried.

### REPORTS OF SELECT COMMITTEES

#### JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 85 Report No. 1, April 15, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 85, met April 15, 1977, and considered:

Senate Committee on Taxation Amendments dated April 7, 1977,

Senate Committee of the Whole Amendments dated April 8, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 7, 1977,

That the Senate recede from amendment numbers 1 and 2, reading as follows:

1. Amend title, line 7.

Following: "1947"

Insert: "; and providing for replacement revenues"

2. Amend page 10, line 8.

Following: line 8

Insert: "Section 2. Distribution of federal 'payments-in-lieu of taxes.' Monies received by units of local government under the provisions of Public Law 94-565, October 20, 1976, or any subsequent amendments, shall, for the fiscal year in which the funds are received, be used first to reduce the loss in revenue to the county equalization funds for elementary and high schools resulting from the reduction in the classification of livestock from class 3 to class 2 as provided in this act.

Section 3. Coordination with other legislation. If House Bill 70 is enacted into law, then in lieu of section 1 of this act, House Bill 70 shall be revised by moving livestock and unprocessed livestock products from class nine, taxed at 13.3% of market value, to class fourteen, taxed at 8% of market value."

Having had under consideration Senate Committee of the Whole Amendments dated April 8, 1977,

That the House accede to amendment numbers 1, 2, and 3,

And that the Conference Committee Report on House Bill No. 85 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

DASSINGER  
J. GUNDERSON  
SEVERSON

MATHERS  
GRAHAM  
HAGER

Report adopted.

FREE JOINT CONFERENCE COMMITTEE REPORT  
ON HOUSE BILL NO. 567  
Report No. 1, April 15, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met April 15, 1977, and considered Senate Committee on Judiciary Amendments dated March 30, 1977, to House Bill No. 567, and recommend as follows:

That the Senate recede from amendment numbers 1, 5, and 6, reading as follows:

1. Amend title, lines 6 and 7.

Following: "constitution to"

Strike: lines 6 and 7 in their entirety

Insert: "allow the legislature to disapprove rules promulgated by the supreme court."

5. Amend page 2, section 3, lines 10 and 11.

Following: "for"

Strike: lines 10 and 11 in their entirety

Insert: "allowing the legislature to disapprove rules promulgated by the supreme court."

6. Amend page 2, section 3, lines 12 and 13.

Following: "against"

Strike: lines 12 and 13 in their entirety

Insert: "allowing the legislature to disapprove rules promulgated by the supreme court."

And further that the House accede to amendment numbers 2, 3, and 4,

And further that House Bill No. 567, third reading bill, be amended as follows:

1. Amend title, lines 6 and 7.

Following: "constitution to"

Strike: lines 6 and 7 in their entirety

Insert: "allow the legislature to disapprove rules for admission to the bar promulgated by the supreme court."

2. Amend page 2, section 3, lines 10 and 11.

Following: "for"

Strike: lines 10 and 11 in their entirety

Insert: "allowing the legislature to disapprove rules for admission to the bar promulgated by the supreme court."

3. Amend page 2, section 3, lines 12 and 13.

Following: "against"

Strike: lines 12 and 13 in their entirety

Insert: "allowing the legislature to disapprove rules for admission to the bar promulgated by the supreme court."

And that the Free Joint Conference Committee Report to House Bill Number 567 be adopted:

FOR THE HOUSE:

HUENNEKENS, Chairman  
RYAN  
COX

FOR THE SENATE:

REGAN, Chairman  
LENSINK  
MURRAY

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/15/77

Senate dissolved the Conference Committee on House Amendments to Senate Bill No. 125, and the President was authorized to appoint the following New Free Conference Committee to confer with a like committee from the House:

Senator Regan, Chairperson  
Senator Blaylock  
Senator Nelson

4/15/77

Senate acceded to the request of the House and the President was authorized to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 85:

Senator Mathers, Chairman  
Senator Graham  
Senator Hager

4/15/77

Senate dissolved the Conference Committee on House Amendments to Senate Bill No. 198 and authorized the President to appoint the following Free Conference Committee and requests the House to appoint a like committee to confer on Senate Bill No. 198:

Senator Murray, Chairman  
Senator Roskie  
Senator Flynn



4/15/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 521:

Senator Dunkle, Chairman

Senator Watt

Senator Story

Meloy moved that the House adjourn until 11:00 a.m., April 16, 1977.

Motion carried.

House adjourned at 6:05 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## EIGHTY-EIGHTH LEGISLATIVE DAY

Helena, Montana  
April 16, 1977

House Chambers  
Capitol Building

House convened at 11:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Halvorson, excused; Barrett, Kimble, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/16/77  
Correctly enrolled - HB 298, HB 508, HB 610, HB 612, HB 745,  
HB 758, HJR 95.  
Correctly printed - HR 5.

Were signed by the Speaker at 11:00 a.m., 4/15/77 - HB 68, HB 801,  
HJR 21.

Were signed by the Speaker on adjournment, 4/15/77 - HB 41, HB 178,  
HB 215, HB 239, HB 407, HB 422, HB 494, HB 513, HB 599,  
HB 719, HB 791, HJR 96, SB 102, SB 150, SB 209, SB 311,  
SB 442.

Signed by the Speaker of the House and President of the Senate and  
delivered to the Governor for his approval at 10:30 a.m., 4/16/77 -  
HB 143.

### REPORTS OF SELECT COMMITTEES

JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 198  
Report No. 1, April 15, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill 198, met April 15, 1977, and considered:

Senate Committee on Taxation Amendments dated April 5, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 5, 1977,

That the Senate recede from amendment numbers 5, 6, and 7, reading as follows:

5. Amend page 18, section 7, line 22.

Following: "of all"

Strike: "salable"

Insert: "these"

6. Amend page 18, section 7, line 24.

Following: "reduced"

Strike: "within the state of Montana"

7. Amend page 18, section 7, line 25.

Following: line 24

Insert: "value of these"

Following: "metals"

Strike: "are"

Insert: "is"

Following: "considered"

Strike: "salable"

Insert: "outside the county"

And further that the House accede to amendment numbers 1, 2, 3, 4, and 8 through 21,

And further that House Bill 198, third reading bill, be amended as follows:

1. Amend page 18, section 7, line 24.

Following: "reduced"

Strike: "within the state of Montana"

Insert: "by the taxpayer"

2. Amend page 18, section 7, line 25.

Following: line 24

Strike: "metals are considered salable"

Insert: "merchantable value in the county in which they are extracted shall be the average market value of these metals"

And that the Conference Committee Report on House Bill No. 198 be adopted.

FOR THE HOUSE:

QUILICI, Chairman  
HARRINGTON  
FABREGA

FOR THE SENATE:

HEALY, Chairman  
BERGREN  
GOODOVER

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/16/77

Bills and Resolution, on 4/14/77, concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 169, introduced by Harrington, Lynch, et al

House Bill No. 292, introduced by Meloy, Bradley, et al

House Bill No. 434, introduced by Williams, Gerke, et al

House Bill No. 808, introduced by Committee on Rules

House Joint Resolution No. 7, introduced by Johnston, Mular, et al

4/15/77

Bill, on 4/14/77, concurred in as amended by the Senate and returned to the House for concurrence in Senate Amendments:

House Bill No. 569, introduced by Waldron, Cooney, et al

4/15/77

Bill on Committee Report not concurred in as amended by the Senate, report adopted, and returned to the House:

House Bill No. 689, introduced by Frates, Hirsch, Metcalf



4/15/77  
Bill on Committee Report not concurred in by the Senate, report adopted,  
and returned to the House:

House Bill No. 207, introduced by Bradley, Lien, et al

4/16/77  
Bill, on 4/14/77, concurred in by the Senate and returned to the House:

House Bill No. 461, introduced by Holmes, Keyser (by request)

4/15/77  
Bill on Committee Report, not concurred in by the Senate, report adopted,  
and returned to the House:

House Bill No. 205, introduced by Bardanouve

4/16/77  
Resolution, on 4/15/77, concurred in by the Senate, and returned to the  
House:

House Joint Resolution No. 97, introduced by Ramirez, Porter

4/15/77  
Senate, on roll call vote, adopted the following Conference Committee and  
Free Conference Committee Reports:

Free Conference Committee on Senate Bill No. 382

Conference Committee on Senate Amendments to House Bill 411

Conference Committee on Senate Amendments to House Bill No. 721

Free Conference Committee on House Bill No. 595

Free Conference Committee on House Bill No. 735

Free Conference Committee on House Bill No. 772

4/15/77  
Senate acceded to the request of the House and returns Senate Joint Reso-  
lution No. 48 to the House for further consideration.

4/15/77  
House Amendments to Senate Bill No. 44, introduced by Manning, et al,  
were concurred in by the Senate.

### MOTIONS

Conroy moved that the free conference committee on HB 577 be dis-  
solved and that a new free conference committee be appointed. Motion  
carried.

Meloy moved that consideration of SB 271 be passed for the day. Motion  
carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and his-  
tory agreed to, were disposed of in the following manner:

House Bill No. 31 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Brand, Burnett,  
Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault,  
Ellis, Ellison, Ernst, Eudaily, Fagg, Fedra, Frates, Gerke, Gilligan, Gould,  
E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch,

Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Nathe, Roth, Stobie, Vinger.

Total 4

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Bardanouve, Barrett, Bradley, Colburn, Estenson, Fabrega, Kennerly, Kimble, O'Keefe, South, Waldron.

Total 11

House Bill No. 839 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Bardanouve, Barrett, Bengtson, Colburn, Kennerly, Kimble, O'Keefe, South, Waldron.

Total 9

House Joint Resolution No. 105 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Burnett, Seifert.

Total 2

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Day, Kennerly, Kimble, Meloy.

Total 6

House Joint Resolution No. 106 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 92

Noes: None.

Total 0

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Courtney, J. Gunderson, Kennerly, Kimble.

Total 6

Senate Joint Resolution No. 48 was concurred in by the following vote:

Ayes: Aageson, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Davis, Day, Ernst, Estenson, Fagg, Feda, Frates, Gerke, Gilligan, Gould, J. Gunderson, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Kropp, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, South, Staigmillier, Teague, Tower, Tropila, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 72

Noes: R. Baeth, W. Baeth, Courtney, Dussault, Ellis, Ellison, Eudaily, Fabrega, E. Gunderson, Harper, Holmes, Keyser, Kvaalen, Lory, Meyer, Nathe, Shelden, Sivertsen, Smith, Stobie, Turner, Waldron.

Total 22

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Kennerly, Kimble.

Total 4

Senate Bill No. 450 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes,

Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Kropp.

Total 1

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Day, Fagg, Kennerly, Kimble, Marks, Stobie, Waldron.

Total 9

Senate Joint Resolution No. 49 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tropila, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 88

Noes: Curtiss, Lory, Ryan, Tower, Turner, Uhde.

Total 6

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Kimble, Wood.

Total 4

## SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Uhde in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 85 be passed for the day.

That the Conference Committee Report on HB 567 be adopted. (64-22)

That the Conference Committee Report on HB 650 be adopted. (87-0)



That the Conference Committee Report on HB 800 be not adopted. (62-29)

That the Conference Committee Report on HB 198 be adopted. (89-0)

That SA to HB 569 be concurred in. (76-10)

That the committee rise and report. (Uhde, Chairman) Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Conference Committee Report on House Bill No. 567 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kropp, Kvaalen, Lien, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmillar, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 79

Noes: Hansen, Keyser, Lory, Nathe, Vinger.  
Total 5

Excused: Ellerd, Halvorson.  
Total 2

Absent or not voting: Bardanouve, Barrett, Colburn, Conroy, Cox, Hirsch, Hurwitz, Kimble, Lynch, Quilici, Seifert, Smith, Teague, Wyrick.  
Total 14

Conference Committee Report on House Bill No. 650 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bengtson, Bertelsen, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Wood, Wyrick, Mr. Speaker.  
Total 91

Noes: None.  
Total 0

Excused: Ellerd, Halvorson.  
Total 2

Absent or not voting: Bardanouve, Barrett, Bradley, Colburn, Conroy, Kimble, Williams.

## Total 7

Conference Committee Report on House Bill No. 198 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Conroy, Kimble, Kvaalen, Marks, Roth, Teague.

Total 8

Senate Amendments to House Bill No. 569 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Sheldon, Sivertsen, South, Teague, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Brand, Ellison, Hansen, Hurwitz, Jensen, Moore, Nathe, Roth, Seifert, Smith, Staigmiller, Stobie, Tower, Vinger.

Total 14

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Conroy, Kimble, Marks, Underdal.

Total 6

## MOTIONS

Meloy moved that the motion on Second Reading to rise and report be reconsidered so the House may sit again on Second Reading this day. Motion carried.

Scully moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on HB 800. Motion carried.

Vincent moved that the Conference Committee Report on HB 85 be referred to the Committee on Rules. Lynch moved the previous question. Motion carried. Thereupon Vincent's motion carried.

## **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Uhde in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 292 be passed for the day.

That SA to HB 434 be passed for the day.

Kimble present at this time.

That SA to HB 808 be concurred in. (80-5)

That SA to HJR 7 be concurred in. (76-5)

That SA to HB 169 be concurred in. (84-1)

That the committee rise and report. (Uhde, Chairman) Report adopted.

## **THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 808 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 87

Noes: Burnett.

Total 1

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Conroy, Dassinger, Fagg, Kenny, Kessler, Ryan, Scully, Teague.

Total 10

Senate Amendments to House Joint Resolution No. 7 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, South, Staigmillier, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 87

Noes: Smith, Stobie.

Total 2

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Conroy, Fagg, Kenny, Kessler, Scully, Shelden, Teague.

Total 9

Senate Amendments to House Bill No. 169 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kenny, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Ellerd, Halvorson.

Total 2

Absent or not voting: Barrett, Colburn, Conroy, Dassinger, Kessler, Lund, Pistoria, Scully, Teague.

Total 9

## REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker on adjournment, 4/16/77 - SB 44, SB 107, SB 135, SB 233, SB 268, SB 307, SB 329, SB 331, SB 345, SJR 25, SJR 29, SJR 45, HB 123, HB 148, HB 182, HB 298, HB 301, HB 491, HB 508, HB 610, HB 612, HB 745, HB 758, HJR 25, HJR 95.

Examined by the Sponsors and found to be correct - HB 123, HB 148, HB 182, HB 298, HB 301, HB 491, HB 508, HB 610, HB 612, HB 745, HB 758, HJR 25, HJR 95.



## APPROPRIATIONS (Bardanouve, Chairman):

4/16/77

HB 144, introduced bill, be amended as follows:

1. Amend page 2, section 1, line 5.

Following: "means"

Strike: "bond proceeds and insurance clearance account"

Insert: "account number 06142 in the bond proceeds and insurance clearance fund"

2. Amend page 3, line 12.

Following: line 11

Insert: "Section 7. General fund appropriation. There is appropriated from the general fund to account number 06142 in the bond proceeds and insurance clearance fund \$6,140,000 to be used with other available funds to support the projects provided below."

Renumber: subsequent sections

3. Amend page 3, section 7, line 15.

Following: line 14

Strike: the remainder of the bill

Insert:

	<u>BPICA</u>	<u>"Other Appropriated Funds</u>
--	--------------	--

DEPARTMENT OF INSTITUTIONS

Reroof Administration Building —

Pine Hills \$ 42,000

New Boys Lodge —

Pine Hills 775,000

Two New Housing Units —

Prison 3,800,000

Visual Fire Protection

4,800

Elevate Sewer Pumps —

Mountain View 17,850

Raze Buildings —

Warm Springs 235,000

Grounds Improvements —

Warm Springs 150,000

Replace Water Lines —

Warm Springs 43,330

New Roof — Veterans' Home

76,500

Fire Safety — Galen

150,000

Boulder Sewer Project Supplement

20,000

Rebuild Band Room, Prison

Prison Fire Loss, BPICA \$ 176,909

The rebuilding of the band room shall be paid from insurance proceeds.

UNIVERSITIES

University System Maintenance

1,486,000

Install Sewer Line — Montana

College of Mineral Science

and Technology 75,000

Construct Physical Plant —

Eastern Montana College 510,000

Science Building —

University of Montana 4,000,000

Auto Diesel Lab —

Northern Montana College 279,935

University System Planning		
Funds — Current Unrestricted		190,000
Oil and Gas Commission Building —		
Eastern Montana College	73,200	

The following two projects are authorized in order to solicit non-state funding and to begin construction contingent upon receipt of such funding.

Library Completion, University		
of Montana, Long-range Construction		
Grant FPRA		2,600,000
Law School Library Expansion		
Long-range Construction Grant FPRA		1,300,000

#### DEPARTMENT OF MILITARY AFFAIRS

Rebuild Roofs on Armories		
and Shops	69,500	
National Guard FPRA		28,500
Water and Sewer Improvements —		
Sidney Armory	4,290	
New Armory, Culbertson	139,000	
National Guard FPRA		367,000
Rebuild Roof — Helena Armory	45,000	
Army Aviation Support Facility		
Addition — Helena	33,573	
National Guard FPRA		589,000
Improvements to Armory Vaults	3,750	
National Guard FPRA		11,250
Install Intrusion Detection		
System to Protect Armories	5,000	
National Guard FPRA		19,000
Improve Electrical System —		
Helena Armory	3,000	
OSHA Improvements to Armories	1,225	
National Guard FPRA		4,500
Construct Flammable		
Storage Buildings	6,300	
Renovate Drill Floor —		
Bozeman Armory	8,000	
Water System — Billings Armory	37,000	
Fire Escapes — Helena and		
Bozeman Armories	18,000	

#### DEPARTMENT OF ADMINISTRATION

Mitchell Building Completion		
and Fire Escapes	750,000	
Data Processing Revolving Account		100,000
Plan Renovation and		
Addition to Cogswell	120,000	
Capitol Complex Land Acquisition		
and Grounds Improvements	100,000	
Capitol Complex FPRA		50,000
State Records Center	75,000	
Energy Conservation	200,000	
Waterproof Exterior, State		
Capitol	35,000	
State Capitol, Remodel		
Second Floor	85,000	

Architecture and Engineering	
Revolving Account	206,352
Remodel Highway Building	100,000

DEPARTMENT OF HIGHWAYS

Miscellaneous Repairs and Safety	
Improvements — Highway ERA	150,000
Construct Highway Maintenance	
Facilities — Highway ERA	317,500

The maintenance facilities appropriation is contingent upon passage of House Bill 769.

SUPERINTENDENT OF PUBLIC INSTRUCTION

Construct Vo-tech Center —	
Billings	1,062,500
Long-range Construction	
Grant FPRA	750,000

This appropriation is contingent upon local matching funds becoming available within the 1979 biennium.

DEPARTMENT OF COMMUNITY AFFAIRS

Terminal Addition — West Yellowstone Addition	
Aeronautics Commission ERA	178,500
Aeronautics Commission FPRA	178,500

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Construct Office and Warehouse,	
Oil and Gas Commission, ERA	350,000

DEPARTMENT OF JUSTICE

Renovate Registrar's Office —	
Deer Lodge	148,000

DEPARTMENT OF FISH AND GAME

Pictograph Caves State Monument	10,000	
State Parks FPRA		10,000
Bannack State Monument	40,000	
State Parks FPRA		40,000
Cooney Reservoir Recreation		
Area	100,000	
State Parks FPRA		100,000
Sluice Boxes State Monument	14,000	
State Parks FPRA		14,000
Natural Bridge State Monument	65,000	
State Parks FPRA		65,000
Chinaman's Gulch Recreation Area	55,000	
State Parks FPRA		55,000
Beartooth Recreation Area	43,000	
State Parks FPRA		43,000
Browne's Lake Road Construction —		
Fish and Game ERA		50,000
Giant Springs State Park — State		
Parks FPRA		140,000
Tongue River Reservoir Recreation Area —		
State Parks FPRA		200,000
Develop Nelson Creek Recreation Area —		

State Parks FPRA	100,000
Placid Lake Recreation Area — State Parks FPRA	220,000
Regional Fish and Game Headquarters Maintenance — Fish and Game ERA	50,000
Warm Springs Machine Shed Supplement — Fish and Game ERA	2,638
Fish and Game FPRA	3,938
Rock Creek Recreation Area — Fish and Game ERA	3,750
Fish and Game FPRA	3,750
Site Improvement — Helena Office — Fish and Game ERA	105,250
Dewey's Bay Development — State Parks FPRA	200,000
Acquire and Develop Ponderosa State Monument — State Parks FPRA	190,000
Salmon Lake State Park — State Parks FPRA	200,000
Fishing Access Fish and Game ERA	110,000
Fish and Game Recreation FPRA	110,000

Section 9. The following money is appropriated from the indicated accounts for the purposes of land acquisition to the director, department of fish and game:

Fishing Access Acquisition — Fish and Game ERA	790,000
Fish and Game Recreation FPRA	790,000
Coal Tax Park Acquisition — Coal Tax — Acquisition of Sites Areas ERA	1,200,000
State Parks FPRA	1,200,000
Game Range Habitat Acquisition — Fish and Game ERA	600,000
Fish and Game FPRA	600,000

Section 10. It is the intent of the 45th Legislature that all capital projects at Boulder River School and Hospital funded by the 44th Legislature commence immediately."

And as amended, do pass. Report adopted.

### MOTIONS

Williams moved that Senate Amendments to HB 434 be referred to the Committee on Rules. Motion carried.

Kimble moved that the free conference committee on HB 263 be dissolved and that a new free conference committee be appointed. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following free conference committees of three to meet with like committees from the Senate on the following:

- HB 577: Meloy, Chairman; Harrington and Smith;
- HB 800: Holmes, Chairman; Kimble and Ramirez;
- HB 263: Kimble, Chairman; Palmer and Barrett.



4/16/77

Mrs. Martha McGee  
Chief Clerk  
House of Representatives

Dear Mrs. McGee:

I have this day appointed the following Representatives to serve on the Legislative Finance Committee:

Ann Mary Dussault  
Burt Hurwitz

They will serve with the following Representatives who were selected by the Appropriation Committee:

Francis Bardanouve  
Carroll South  
Jack Moore  
Art Lund

Sincerely,

John B. Driscoll  
Speaker of the House

Meloy moved that the House adjourn until 9:00 a.m., April 18, 1977.

Motion carried.

House adjourned at 12:30 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## EIGHTY-NINTH LEGISLATIVE DAY

Helena, Montana  
April 18, 1977

House Chambers  
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Halvorson, Kenny, excused; Ellerd and Teague, absent. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (E. Gunderson, Vice-Chairman): 4/18/77

Correctly printed - HB 144.

Correctly enrolled - HB 90, HB 141, HB 150, HB 169, HB 245, HB 295, HB 299, HB 334, HB 355, HB 499, HB 595, HB 658, HB 693, HB 721, HB 735, HJR 7, HJR 65, HJR 91.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 12:45 p.m., 4/16/77 - HB 68, HB 105, HB 247, HB 239, HB 407, HB 422, HB 492, HB 494, HB 513, HB 599, HB 719, HB 791, HB 801.

RULES (Meloy, Chairman): 4/18/77

The Senate Amendments to HB 85 are within the scope of the title. Report adopted.

The Senate Amendments to House Bill 434 are not within the scope of the title and are a violation of Joint Rule 6-8. Report adopted.

TAXATION (Huennekens, Chairman): 4/18/77

SB 167, third reading bill, be amended as follows:

1. Amend title, lines 9, 10 and 11.

Following: "income"

Strike: "or license"

Following: "tax"

Strike: "credits and accelerated amortization of"

Insert: "credit for"

Following: "amending"

Strike: "sections 84-1502 and"

Insert: "section"

2. Amend page 1, section 1, line 24.

Following: "(40%)"

Strike: "20%"

Insert: "10%"

Following: "(20%)"

Strike: "10%"

Insert: "5%"

3. Amend page 2, section 1, line 4.

Following: "(20%)"

Strike: "10%"

Insert: "5%"

Following: "(10%)"

Strike: "5%"

Insert: "2 1/2%"

4. Amend page 2, line 21, through line 6, page 5.

Following: line 20

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

5. Amend page 5, section 4, lines 20-22.

Following: line 19

Strike: lines 20 through 22 in their entirety

6. Amend page 5, line 25 and line 1, page 6.

Following: line 24

Strike: subsection (c) in its entirety

7. Amend page 5, line 2 through line 5, page 11.

Following: line 1

Strike: section 5 in its entirety

Renumber: subsequent sections

(Material in parentheses denotes cancelled type.)

And as amended, be concurred in. Report adopted.

APPROPRIATIONS (Bardanoue, Chairman):

4/16/77

HB 823, introduced bill, be amended as follows:

1. Amend title, line 4.

Following: "entitled:"

Strike: "An act to appropriate funds for capital projects at the school for the deaf and blind and Montana state university from the education trust fund account; revoking"

Insert: "An act allowing funds to be appropriated for capital building projects from the statutory education trust fund; revising"

2. Amend page 1, section 1, line 24.

Following: "hereby"

Strike: "revokes"

Insert: "revises"

3. Amend page 1, section 1, line 24 through line 2 on page 2.

Following: "trust."

Strike: line 24 on page 1 through line 2 on page 2 in their entirety

Insert: "The other purpose of this act is to allow the legislature to appropriate a portion of the corpus of the trust for capital building projects of public schools and the university system."

4. Amend page 2, section 2, line 11.

Following: "(trust)"

Insert: "Ten percent (10%) of the income from such investments each year shall be added to the principal of the account to be segregated and held in trust"

5. Amend page 2, section 2, line 12.

Following: "schools"

Strike: ", institutions,"

6. Amend page 2, section 2, line 25.

Following: "(constitution.)"

Insert: "Of the remaining ninety percent (90%) of the income from such investments, three-fourths (3/4) shall be annually paid into the earmarked revenue fund, for state equalization aid to public schools"



of the state and one-fourth ( $\frac{1}{4}$ ) each year shall be paid to the board of regents of higher education for use by the institutions of higher learning in the state of Montana subject to the budgeting authority of the legislature."

7. Amend pages 3 and 4, sections 3 through 6, line 1 on page 3 through line 11 on page 4.

Strike: sections 3 through 6 in their entirety

Insert: "Section 3. Appropriation. There is appropriated the unencumbered balance on June 30, 1977, in the local impact and education trust fund account established in 50-1802(1) to account 06142 for the long-range building program."

(Material in parentheses denotes cancelled type.)

And as amended, do pass. Report adopted.

## REPORTS OF SELECT COMMITTEES

### JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 156

Report No. 1, April 16, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 156, met April 16, 1977, and considered:

Senate Committee on Taxation Amendments dated April 6, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 6, 1977,

That the Senate recede from amendment numbers 1, 2, 3, and 6, (Due to length, amendments will not be reprinted),

And further that the House accede to amendment numbers 4 and 5,

And that the Conference Committee Report on House Bill No. 156 be adopted.

FOR THE HOUSE:

BENGTSON  
LIEN  
ELLIS

FOR THE SENATE:

McOMBER  
OLSON

Report adopted.

### JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 462

Report No. 1, April 16, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 462, met April 16, 1977, and considered:

Senate Committee on State Administration Amendments dated April 5, 1977, and recommend as follows:

Having had under consideration Senate Committee on State Administration Amendments dated April 5, 1977,

That the Senate recede from amendment 3, reading as follows:

3. Amend page 11, section 11, line 15.

Following: line 15

Insert: "(1) issue and cause to be published advisory opinions, with such deletions as may be necessary to protect the identity of the requesting party at the request of a public officer, legislator, or employee contemplating an action which may or may not be a breach of his fiduciary duty;"

Renumber: subsequent subsections

And further, that the House accede to amendments 1 and 2,

And further, that House Bill No. 462, third reading bill, be amended as follows:

1. Amend page 11, section 11, line 15.

Following: line 15

Insert: "(1) issue advisory opinions with such deletions as are necessary to protect the identity of the requesting party or the party about whom the opinion is written;"

Renumber: subsequent subsections

And further, that the Conference Committee Report on House Bill No. 462 be adopted.

FOR THE HOUSE:

MELOY  
VINCENT  
MARKS

FOR THE SENATE:

JERGESON  
RASMUSSEN  
BERGREN

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 738  
Report No. 1, April 15, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 738, met April 15, 1977, and considered:

Senate Committee on Taxation Amendments dated April 6, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 6, 1977,

That the Senate recede from amendment number 1, reading as follows:

1. Amend page 11, section 5, lines 12 through 16.

Following: "(offenders.)"

Strike: "Whenever the peace officer believes, on reasonable grounds, that the youth must be detained, the peace officer must notify the probation officer immediately and the probation officer's approval for detention is required prior to detaining the youth."

Insert: "Whenever the peace officer believes, on reasonable grounds, that the youth must be held in custody, then the peace officer must notify the probation officer without undue delay, and shall, as soon as practicable, provide the probation officer with a written report of his reasons for holding that youth in custody. If it is necessary to hold the youth pending appearance before the youth court, then the youth must be held in some place that has been approved by the youth court and is completely separated from adult offenders."

And further, that the House accede to amendments 2, 3, 4, 5, and 6,

And further, that House Bill No. 738, third reading bill, be amended as follows:

1. Amend page 11, section 5, line 15.

Following: line 14

Strike: "and the probation officer's approval for detention is required prior to detaining the youth"

Insert: "and shall, as soon as practicable, provide the probation officer with a written report of his reasons for holding that youth in custody. If it is necessary to hold the youth pending appearance before the youth court, then the youth must be held in some place that has been approved by the youth court and is completely separated from adult offenders"

(Material in parentheses denotes cancelled type.)

And further, that the Conference Committee Report on Senate Amendments to House Bill No. 738 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

MELOY  
DUSSAULT  
LORY

TOWE  
WARDEN  
STORY

Report adopted.

### MESSAGES FROM THE GOVERNOR

April 18, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill 143.

Sincerely,

THOMAS L. JUDGE  
Governor

### MESSAGES FROM THE OTHER HOUSE

4/18/77

Bills, on 4/15/77, concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 728, introduced by Vincent, Estenson

House Bill No. 737, introduced by Huennekens, Vincent, Frates

4/16/77

Bill and Resolution on Committee Report, not concurred in by the Senate, reports adopted, and returned to the House:

House Bill No. 797, introduced by Mular, Scully

House Joint Resolution No. 102, introduced by W. Baeth

4/16/77

Bills on Committee of the Whole in the Senate, recommended that further action be indefinitely postponed, reports adopted, and returned to the House:

House Bill No. 272, introduced by Meloy, Estenson, Palmer, et al

House Bill No. 525, introduced by Mular, Brand, et al

4/16/77

House Amendments to Senate Bill No. 192, introduced by McCallum, Murphy, were not concurred in by the Senate on second reading.

4/16/77

Senate adopted the following Conference Committee and Free Conference Committee reports on third reading:

Free Conference Committee on Senate Bill No. 31

Conference Committee on House Amendments to Senate Bill No. 130

Free Conference Committee on Senate Bill No. 401

Free Conference Committee on House Bill No. 4

Conference Committee on Senate Amendments to House Bill No. 85

Conference Committee on Senate Amendments to House Bill No. 198

Conference Committee on Senate Amendments to House Bill No. 302

Conference Committee on Senate Amendments to House Bill No. 498

Free Conference Committee on House Bill No. 567

Conference Committee on Senate Amendments to House Bill No. 650

4/16/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House on House Bill No. 145.

Senator Thiessen, Chairman

Senator Himsl

Senator Regan

Senator Flynn

Senator Stephens

Senator Roberts

4/16/77

Senate acceded to the request of the House and the Conference Committee on Senate Amendments to House Bill No. 263 was dissolved and the President was authorized to appoint the following Free Conference Committee to confer with a like committee from the House on House Bill No. 263:

Senator R. Smith, Chairman

Senator Rasmussen

Senator Dover

4/16/77

Senate acceded to the request of the House and dissolved the Free Conference Committee on House Bill No. 577 and the President was authorized to appoint the following New Free Conference Committee to meet with a like committee from the House:



Senator Roskie, Chairman  
Senator Jergeson  
Senator Bergren

4/16/77

Conference Committee on Senate Amendments to House Bill No. 800 was dissolved and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House on House Bill No. 800:

Senator Warden, Chairperson  
Senator Murray  
Senator Hazelbaker

4/16/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House on House Bill No. 816:

Senator Ed Smith, Chairman  
Senator Blaylock  
Senator Murphy

4/16/77

President was authorized to dissolve the Conference Committee on House Amendments to Senate Bill No. 302 and to appoint the following Free Conference Committee on Senate Bill No. 302 and requests the House to appoint a like committee:

Senator Roskie, Chairman  
Senator Hager  
Senator Ed Smith

4/16/77

Senate, on 4/11/77, failed to concur in House Amendments to Senate Joint Resolution No. 39. The President was authorized to appoint the following Conference Committee and requests the House to appoint a like committee to confer on House Amendments to Senate Joint Resolution No. 39:

Senator Hazelbaker, Chairman  
Senator Turnage  
Senator Flynn

4/16/77

House Amendments to the following Senate Joint Resolutions were this day concurred in by the Senate on third reading:

House Amendments to Senate Joint Resolution No. 42, introduced by Dover, Story, et al

House Amendments to Senate Joint Resolution No. 48, introduced by Agriculture Committee (Graham, Chairman)

House Amendments to Senate Joint Resolution No. 49, introduced by Dover, Story, et al

### MOTIONS

Palmer moved that HB 215 be rereferred from the Committee on Bills to Enrolling. Motion carried.

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on House Amendments to SJR 39. Motion carried.

Meloy moved that Senate Amendments to HB 434 and Conference Committee Report on HB 85 be placed at the top of the Second Reading board today. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Estenson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 434 be not concurred in. (70-17)

That the Conference Committee Report on HB 85 be adopted. (73-19)

That the Conference Committee Report on HB 156 be adopted. (88-3)

That the Conference Committee Report on HB 462 be adopted. (90-0)

That the Conference Committee Report on HB 738 be adopted. (90-0)

That SA to HB 292 be concurred in. (82-1)

That HR 5 be adopted. (89-1)

That SB 271 be passed to the bottom of the board.

That SB 167 be concurred in. (74-14)

That the committee rise and report and beg leave to sit again. (Estenson, Chairman) Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Conference Committee Report on House Bill No. 85 was adopted by the following vote:

Ayes: Ageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fedra, Frates, Gerke, Gould, Hand, Hansen, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Tower, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 78

Noes: R. Baeth, Courtney, Dussault, Gilligan, E. Gunderson, J. Gunderson, Harper, Holmes, Metcalf, Pistoria, Ryan, Tropila, Vincent.  
Total 13

Excused: Halvorson, Kenny.  
Total 2

Absent or not voting: Bardanouve, Colburn, Davis, Ellerd, Fagg, Teague, Wood.

Total 7

Conference Committee Report on House Bill No. 156 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 91

Noes: Jensen.

Total 1

Excused: Halvorson, Kenny.

Total 2

Absent or not voting: Bardanouve, Colburn, Ellerd, Fagg, Scully, Teague.

Total 6

Conference Committee Report on House Bill No. 462 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Halvorson, Kenny.

Total 2

Absent or not voting: Bardanouve, Colburn, Cox, Ellerd, Fagg, Lynch, Teague, Wood.

Total 8

Conference Committee Report on House Bill No. 738 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega,

Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick.

Total 91

Noes: None.

Total 0

Excused: Halvorson, Kenny.

Total 2

Absent or not voting: Bardanouve, Colburn, Ellerd, Fagg, Lynch, Teague, Mr. Speaker.

Total 7

Senate Amendments to House Bill No. 292 were concurred in by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, South, Staigmilller, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 83

Noes: Brand, Hansen, Keyser, Ryan, Stobie, Tower, Tropila.

Total 7

Excused: Halvorson, Kenny.

Total 2

Absent or not voting: Bardanouve, Colburn, Davis, Ellerd, Fagg, Scully, Smith, Teague.

Total 8

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):  
Correctly printed - HB 823.

4/18/77

Examined by Sponsors and found to be correct - HB 90, HB 141, HB 150, HB 169, HB 245, HB 295.

Were signed by the Speaker on adjournment, 4/16/77 - SB 44, SB 107, SB 135, SB 233, SB 268, SB 307, SB 329, SB 331, SB 345, SJR 25, SJR 29, SJR 45, HB 123, HB 148, HB 182, HB 298, HB 301, HB 491, HB 508, HB 610, HB 612, HB 745, HB 758, HJR 25, HJR 95.



**REPORTS OF SELECT COMMITTEES**  
**FREE JOINT CONFERENCE COMMITTEE**  
**ON HOUSE BILL NO. 145**  
**Report No. 1, April 18, 1977**

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 145 met April 16 and 17, 1977, and considered:

Senate Committee on Finance and Claims Amendments dated April 12, 1977, and

Senate Committee of the Whole Amendments dated April 14, 1977, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 12, 1977, and Senate Committee of the Whole Amendments dated April 14, 1977,

That the House accede to all amendments,

And further that House Bill No. 145 (orange reference copy) be amended as follows:

1. Amend page 8, section 17, lines 5 and 6.

Following: "trip"

Strike: ", cost, and the benefit to the department or agency"

Insert: "and cost"

2. Amend page 10, section 17, line 10.

Following: line 9

Strike: all of line 10

Insert in general fund columns:

"938,414" "896,720"

3. Amend page 10, section 17, line 18.

Following: line 17

Insert: "Expenditures for legislator travel to meetings of the national conference of state legislatures shall not exceed \$10,000 per fiscal year."

4. Amend page 11, section 17, lines 1 and 2.

Strike: all of lines 1 and 2

Insert in general fund columns:

"142,581" "156,854"

5. Amend page 11, section 17, line 5.

Strike: "The appropriation made from other"

Insert: "Other"

6. Amend page 11, section 17, line 9.

Following: line 8

Strike: all of line 9

Insert: "560,498" "19,600" "619,087"

7. Amend page 11, section 17, line 15.

Following: line 14

Strike: all of line 15

Insert: "1,175,688" "18,000" "1,181,194"

8. Amend page 11, section 17, line 17.

Following: line 16

Strike: all of line 17

Insert: "\$1,956,983" "\$56,100" "\$2,051,397"

9. Amend page 11, section 17, line 20.

Following: line 19

Strike: all of line 20

Insert in general fund columns:

"601,933" "612,396"

10. Amend page 12, section 17, line 2.

Following: line 1

Strike: line 2

Insert appropriation in general fund columns:

"Treaty review and research 20,000 20,000

Jurisdictional litigation 110,000 110,000

Legislative oversight by 4 members of the senate and 4 members of the house, equally bipartisan, to also hold a public hearing on each reservation, suggest alternative solutions, identify common bonds between Indian and non-Indian, and propose legislation for the next session.

20,000 20,000

Total Legal Jurisdiction

Project

150,000 150,000"

11. Amend page 12, section 17, line 5.

Following: line 4

Strike: all of line 5

Insert in general fund columns:

"109,518" "110,459"

12. Amend page 12, section 17, line 10.

Following: line 9

Insert appropriation in general fund columns:

"Energy and Resource Policy Unit"

"130,004" "133,024"

13. Amend page 12, section 17, line 12.

Following: line 11

Insert appropriation in general fund columns: "Board of Visitors"

"41,412" "40,626"

"The appropriation for the board of visitors shall not be used for hiring or contracting out-of-state consultants."

14. Amend page 12, section 17, line 19.

Following: line 18

Strike: all of line 19

Insert in general fund columns:

"\$1,897,719" "1,923,412"

15. Amend page 13, section 17, line 11.

Following: line 10

Strike: all of line 11

Insert in general fund columns:

"372,699 378,496"

16. Amend page 13, section 17, lines 12 through 15.

Following: line 11

Strike: all of lines 12 through 15

17. Amend page 14, section 17, line 13.

Following: line 12

Strike: all of line 13

Insert in general fund columns:

"\$536,492" "537,670"

18. Amend page 14, section 17, line 15.  
Following: line 14  
Strike: "1,007,567" "1,002,664"  
Insert: "1,012,337" "1,007,434"
19. Amend page 14, section 17, line 18.  
Following: "11-2030,"  
Strike: "are"  
Insert: "is"
20. Amend page 14, section 17, line 23.  
Following: line 22  
Strike: all of line 23  
Insert:  
"4,334,143" "5,516,161"  
"4,884,565" "5,389,363"
21. Amend page 14, section 17, line 25.  
Following: line 24  
Strike: all of line 25  
Insert in general fund columns:  
"450,220" "450,220"
22. Amend page 15, section 17, lines 4 through 6.  
Following: line 3  
Strike: all of lines 4 through 6  
Insert:  
"4,980,248" "6,306,199"  
"5,540,536" "6,208,542"
23. Amend page 15, section 17, line 12.  
Strike: "7,170,684"  
Insert: "7,370,684"
24. Amend page 15, section 17, line 25.  
Following: line 24  
Insert: "The county prosecution services program provided for in the  
above appropriation is terminated as of June 30, 1979."
25. Amend page 17, section 17, line 24.  
Following: line 23  
Strike: all of line 24  
Insert in other appropriated funds:  
"152,531" "154,906"
26. Amend page 18, section 17, line 2.  
Following: line 1  
Strike: "\$12,244,960" "\$12,925,108"  
Insert: "\$12,255,560" "\$12,935,708"
27. Amend page 18, section 17, line 3.  
Following: line 2  
Insert: "The department of administration is authorized to establish  
a Self-Insurance Account in the amount of \$2,500,000 to be used  
only for the state to self-insure any property or liability peril  
determined necessary by the department. The department is author-  
ized to loan \$2,500,000 from account 03766 in the sinking fund  
which is reserved for early retirement of bonds to establish the Self-  
Insurance Account. The loan shall be repaid from appropriations  
provided for insurance costs."
28. Amend page 19, section 17, line 22.

Following: "The"

Strike: "appropriation made"

Insert: "moneys appropriated"

29. Amend page 20, section 17, line 3.

Following: line 2

Strike: all of line 3

Insert in general fund columns:

"572,301"

"611,001"

30. Amend page 20, section 17, line 88.

Following: line 7

Strike: all of line 8

Insert in general fund columns:

"675,686"

"718,102"

31. Amend page 20, section 17, line 13.

Following: line 12

Strike: all of line 13

Insert:

"\$28,063,459" "\$158,694,947"

"\$28,420,607" "\$155,516,815"

32. Amend page 20, section 17, line 21.

Following: line 20

Strike: all of line 21

Insert:

"830,759" "311,718"

"865,387"

"308,208"

33. Amend page 20, section 17, line 24.

Following: line 23

Strike: all of line 24

Insert:

"1,405,748" "8,949,634"

"1,412,256"

"10,099,469"

34. Amend page 20, section 17, line 25 through page 21, line 5.

Following: line 24

Strike: all of line 25 through page 21, line 5

35. Amend page 21, section 17, line 7.

Following: "contains in fiscal"

Strike: "19878"

Insert: "1978"

36. Amend page 21, section 17, line 7.

Following: "(\$217,077)"

Strike: "\$42,077"

Insert: "\$217,077"

37. Amend page 21, section 17, line 8.

Following: "(\$217,327)"

Strike: "\$42,327"

Insert: "\$217,327"

38. Amend page 21, section 17, line 18.

Following: line 17

Insert: "The appropriation to the coal board for grants may be spent only upon notification to the budget director and the legislative finance committee of any proposed grant. Such notification shall be made at least four weeks prior to approval of a grant."



A grant may be made only upon certification to the coal board by the reclamation division of the department of state lands that significant development will affect the area in which the grant is to be spent."

39. Amend page 22, section 17, line 18.

Strike: "767,381" "782,126"

Insert: "804,481" "819,226"

40. Amend page 22, section 17, line 22.

Following: line 21

Strike: all of line 22

Insert:

"7,292,295" "38,214,025"

"7,399,153" "39,851,390"

41. Amend page 23, section 17, line 11.

Strike:

"715,574" "1,199,516"

"729,622" "1,209,157"

Insert:

"725,484" "1,372,215"

"739,760" "1,396,230"

42. Amend page 24, section 17, line 5.

Following: line 4

Insert: "The appropriation from other funds to the parks and recreation program includes coal tax moneys in the park acquisition fund for this biennium only. The department may not propose any expenditure for operation and maintenance from this fund, other than as is authorized under Senate Bill 44, in its budget request to the next legislature."

43. Amend page 24, section 17, line 8.

Following: line 7

Strike: all of line 8

Insert:

"1,111,995" "526,875"

"1,119,682" "476,837"

"The appropriation to the department of state lands contains sufficient funds to complete the study of saline seep and to publish and disseminate the findings of the study. This project shall be terminated by June 30, 1979."

44. Amend page 26, section 17, lines 10 through 13.

Following: "City."

Strike: the remainder of line 10 and all of lines 11 through 13

45. Amend page 32, section 17, line 3.

Following: line 2

Strike: all of line 3

Insert:

"37,346,528" "38,261,870"

"41,289,597" "38,887,205"

46. Amend page 32, section 17, lines 12 and 13.

Following: line 11

Strike: all of lines 12 and 13

Insert:

"5,533,985" "2,648,132"

"6,569,633" "2,449,351"

47. Amend page 32, section 17, lines 19 and 20.

Following: line 18

Strike: all of lines 19 and 20

Insert:

"5,555,685" "2,648,132"

"6,591,333" "2,449,351"

48. Amend page 34, section 17, line 3.

Strike: "7,156,233"

Insert: "7,050,233"

"The agency is authorized to carry \$106,000 of the fiscal 1976 general fund appropriation into fiscal 1978."

49. Amend page 35, section 17, line 3.

Strike: "1,296,003"

Insert: "1,341,003"

50. Amend page 37, section 17, line 19.

Following: line 18

Strike: all of line 19

Insert:

"37,063,449" "6,591,985"

"38,859,015" "6,269,168"

51. Amend page 38, section 17, line 12.

Following: line 11

Strike: "1,238,522" "1,297,969"

Insert: "1,246,472" "1,305,919"

52. Amend page 39, section 17, line 11.

Following: line 10

Strike: all of line 11

Insert in general fund columns:

"\$9,027,962" "\$9,422,135"

53. Amend page 39, section 17, lines 21 and 22.

Following: line 20

Strike: "Superintendent of Public Instruction"

Insert: "Public School Support"

54. Amend page 40, section 17, lines 2 and 3.

Following: "Total"

Strike: "Superintendent of Public Instruction"

Insert: "Public School Support"

55. Amend page 41, section 17, line 3.

Following: "of the"

Insert: "amount"

56. Amend page 42, section 17, line 17.

Following: line 16

Strike: all of line 17

Insert in general fund columns:

"46,002,737" "49,279,368"

57. Amend page 43, section 17, line 9.

Following: line 8

Insert: "Included within other appropriated funds to the six institutions is the sum of \$18,674,161 from revenues generated under the provisions of 84-3804. In the amount such revenues are less than \$18,674,161, the appropriation made to millage contingency may be spent."

58. Amend page 45, section 17, line 3.

Following: line 2

Insert appropriation in general fund for fiscal 1978:

"(8) Millage Contingency 200,000"

59. Amend page 45, section 17, line 10.

Strike: "\$3,205,974"

Insert: "\$3,405,974"

60. Amend page 52, section 17, line 14.

Following: line 13

Strike: "\$43,114,138"

Insert: "\$43,314,138"

61. Amend page 52, section 17, line 19.

Following: line 18

Strike: all of line 19

Insert:

"199,082,606" "287,608,131"

"210,300,025" "287,702,667"

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 145 be adopted.

FOR THE SENATE:

FLYNN  
HIMSL  
REGAN  
ROBERTS

FOR THE HOUSE:

BARDANOUE, Chairman  
BRADLEY  
LUND  
LYNCH  
SOUTH

Report adopted.

### UNFINISHED BUSINESS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on House Amendments to SJR 39: Robbins, Chairman; Waldron and Ramirez.

### MOTIONS

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 434. Motion carried.

Meloy moved that the conference committee on House Amendments to SB 302 be dissolved and the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on SB 302. Motion carried.

Meloy moved the rules be suspended and that all bills which are received from the Senate and committees be placed on Second Reading this day, and all bills which pass Second Reading this day be placed on Third Reading this day. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on SA to HB 434: Williams, Chairman; J. Gunderson and Underdal.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on SB 302: Scully, Chairman; Meloy and Fagg.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Estenson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SB 271 be passed to the bottom of the board.

That HB 823 do pass. (85-7)

That HB 278 be placed below HB 144.

That HB 144 be passed to the bottom of the board.

That the committee rise and report and beg leave to sit again. (Estenson, Chairman) Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 167 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Dussault, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Severson, Shelden, Sivertsen, Tropila, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Mr. Speaker.

Total 78

Noes: Conroy, Keyser, Lory, Ryan, Smith, Staigmiller, Stobie, Wyrick.

Total 8

Excused: Halvorson, Kenny.

Total 2

Absent or not voting: Colburn, Davis, Ellerd, Ellis, Fagg, Kropp, Scully, South, Teague, Tower, Turner, Wood.

Total 12

House Bill No. 823 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellison, Ernst, Eudaily, Fabrega, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch,



Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 85

Noes: Bardanouve, Cox, Estenson, Fagg, Jensen, Metcalf, Ramirez, Smith.

Total 8

Excused: Halvorson, Kenny.

Total 2

Absent or not voting: Colburn, Ellerd, Ellis, South, Teague.

Total 5

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 773

Report No. 1, April 15, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 773, met April 15, 1977, and considered:

Senate Committee on Taxation Amendments dated April 5, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 5, 1977,

That the House accede to amendment numbers 1 through 10,

And further that House Bill No. 773, third reading bill, be amended as follows:

1. Amend page 1.

Following: line 20

Insert: "Section 2. Vacancy. (1) A vacancy on the committee occurring when the legislature is not in session shall be filled by the selection of a member of the appropriate political party and appropriate committee by the remaining members of the committee as provided in (section 1 of this act) to complete the unexpired term. Appointments are for 2 years and a member of the committee shall serve until his term of office as a legislator is ended or his successor is appointed, whichever occurs first.

(2) A vacancy on the committee occurring during a legislative session shall be filled as the original appointment was made."

Renumber: subsequent sections

And that the Free Joint Conference Committee Report on House Bill No. 773 be adopted.

FOR THE HOUSE:

HUENNEKENS, Chairman  
HARRINGTON

FOR THE SENATE:

MATHERS, Chairman  
MURPHY  
GRAHAM

Report adopted.

FREE JOINT CONFERENCE COMMITTEE  
ON SENATE BILL NO. 198  
Report No. 1, April 16, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 198, met April 16, 1977, and considered:

House Committee on Local Government Amendments dated April 2, 1977, and

House Committee of the Whole Amendments dated April 6, 1977, and recommend as follows:

Having had under consideration House Committee on Local Government Amendments dated April 2, 1977,

That the Senate accede to amendment numbers 1, 2, 3, 7, 8, 9, 10, 11, 12, and 13,

That the House recede from amendment numbers 4, 5, and 6, reading as follows:

4. Amend page 3, section 3, lines 6 through 10.

Following: "(point)"

Strike: lines 6 through 10 in their entirety

5. Amend page 3, section 3, line 11.

Following: line 10

Strike: "centerline"

Insert: "3-mile radius from the airport reference point"

6. Amend page 3, section 4, lines 21 and 22.

Following: "nonresidential"

Strike: "height and noise"

Insert: "nonresidential"

Having had under consideration House Committee of the Whole amendments dated April 6, 1977,

That the Senate accede to amendment numbers 1 and 2,

And further that Senate Bill No. 198, third reading bill, be amended as follows:

1. Amend page 3, section 2, line 5.

Following: "may"

Strike: line 5 through "point." on line 11

Insert: "Extend more than 10,000 feet out from the thresholds of the primary instrument approach runway and shall not exceed one mile in width on each side of the primary instrument approach runway and its extended centerline."

2. Amend page 3, section 4, line 18 through line 25.

Following: "Section 4."

Strike: section 4 in its entirety

Insert: "Temporary effect of designation. Upon the designation of an airport influence area, the use of land within the airport influence area shall be restricted as to height consistent with part 77, federal aeronautics regulations, until rules are adopted pursuant to this act. This restriction does not affect nonconforming uses and areas already zoned on July 1, 1977, and may not be imposed for a period of more than 1 year. After the designation of an airport influence

area, no person may recover from a local government damages caused by noise and vibrations from normal and anticipated normal airport operations."

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on Senate Bill No. 198 be adopted.

FOR THE SENATE:

MURRAY  
ROSKIE

FOR THE HOUSE:

DAY  
SHELDEN  
EUDAILY

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/18/77  
Bill and Resolutions, on 4/16/77, concurred in by the Senate, and returned to the House:

House Bill No. 835, introduced by Kessler, Palmer, Estenson

House Joint Resolution No. 98, introduced by Williams, Huennekens, Fabrega

House Joint Resolution No. 99, introduced by Williams, Huennekens, Scully

House Joint Resolution No. 100, introduced by Dussault, South, Marks

4/18/77  
Bills, on 4/15/77, concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 365, introduced by South (by request)

House Bill No. 622, introduced by Marks, Moore, et al

House Bill No. 779, introduced by Driscoll (by request)

4/18/77  
Bill, on 4/16/77, concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 250, introduced by Lynch, Quilici, Dussault, et al

4/18/77  
Bills, on 4/15/77, concurred in by the Senate, and returned to the House:

House Bill No. 160, introduced by Dussault

House Bill No. 261, introduced by Ramirez, Marks, et al

House Bill No. 502, introduced by Brand, Mular, et al

House Bill No. 504, introduced by South

House Bill No. 818, introduced by Lynch, Quilici, et al

House Bill No. 832, introduced by Kessler, Palmer, Cooney

4/18/77  
Bill, on 4/16/77, concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 701, introduced by Frates, et al

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Estenson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 145 be passed to the next Second Reading this day.

That SA to HB 250 be concurred in. (75-2)

That SA to HB 365 be passed to the next Second Reading this day.

That SA to HB 622 be not concurred in. (82-2)

That SA to HB 701 be not concurred in. (83-2)

That SA to HB 728 be concurred in. (92-0)

That SA to HB 737 be passed to the bottom of the board.

That SA to HB 779 be passed to the next Second Reading this day.

That the committee rise and report and beg leave to sit again. (Estenson, Chairman) Report adopted.

**REPORTS OF STANDING COMMITTEES**

Will be signed by the Speaker on adjournment, 4/18/77 - SB 71, SB 93, SB 120, SB 175, SB 203, SB 225, SB 245, SB 309, SB 363, SB 425, HB 90, HB 141, HB 150, HB 169, HB 245, HB 295, HB 299, HB 334, HB 355, HB 499, HB 595, HB 658, HB 693, HB 721, HB 735, HJR 7, HJR 91.

Examined by Sponsors and found to be correct - HB 299, HB 334, HB 355, HB 499, HB 595, HB 658, HB 693, HB 721, HB 735, HJR 7, HJR 91.

**MOTIONS**

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 701. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on HB 622. Motion carried.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 250 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson,



Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Halvorson, Kenny.

Total 2

Absent or not voting: Bradley, Colburn, Day, Dussault, Ellerd, Gerke, Scully, Shelden, Teague.

Total 9

Senate Amendments to House Bill No. 728 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Seifert, Severson, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Burnett.

Total 1

Excused: Halvorson, Kenny,

Total 2

Absent or not voting: Bengtson, Colburn, Dussault, Ellerd, Harrington, Scully, Shelden, Teague.

Total 8

### UNFINISHED BUSINESS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 701: Frates, Chairman; Estenson and Eudaily.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on HB 622: Bradley, Chairman; Palmer and Marks.

House recessed at 10:55 a.m.

House resumed at 2:15 p.m.

Mr. Speaker in the Chair.

### MESSAGES FROM THE GOVERNOR

April 18, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear President McOmber and Speaker Driscoll:

I, Thomas L. Judge, in accordance with the authority conferred upon me as Governor by the laws and constitution of the State of Montana do hereby return House Bill No. 724, "An act prohibiting the use of asbestos-containing spray materials in construction; providing procedures for the demolition of buildings or structures containing asbestos insulation of fireproofing; providing procedure for use of other fibrated product or compound; and providing penalties.", without my signature and recommend the attached amendment.

House Bill 724 provides, in Section 3, that demolition by toppling of asbestos-containing buildings may be supervised by the Department of Administration or its designee. No funding has been provided to the department for such supervision, and the department's budget is not adequate to absorb the increased costs of such supervision.

While this language is discretionary, it opens the possibility that the state might be found negligent for failing to supervise a demolition and be liable for damages. It is, therefore, requested that in the absence of appropriate funding, the mention of state supervision be stricken.

I respectfully request your concurrence in this amendment.

Best regards.

Sincerely,

THOMAS L. JUDGE  
Governor

1. Amend page 3, section 3, lines 6 and 7.

Following: "(a)"

Strike: "Demolition by toppling must may be supervised by the department or its designee, and"

April 16, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear President McOmber and Speaker Driscoll:

In exercising the constitutional powers conferred upon me as Governor, I return Senate Bill 80, "An act to generally revise and clarify the laws relating to collective bargaining and public employment relations; amending sections 59-904, 59-907, 59-1602, 59-1605, 59-1606, and 17-807, R.C.M. 1947.", without my signature and recommend the attached amendments.

Senate Bill 80 establishes the coalition method of collective bargaining for economic issues. However, the bill as now written does not clearly resolve two questions critical to coalition bargaining:

(1) How the bargaining units involved in a coalition will be represented in its decisions.

(2) How the procedures to be used in ratifying economic packages will be established.

The first and second of the attached amendments is a technical change to integrate Section 11 of Senate Bill 80 into the existing chapter.

The third of the attached amendments resolves the question of representation in coalition decisions by providing that each bargaining unit will have one vote within the coalition. While the units composing a coalition will have a strong community of interest because each unit is committed to bettering the economic position of its members, one unit-one vote representation assures that those member preferences which distinguish the several units are fully expressed at the bargaining table.

The fourth and fifth of the attached amendments clarify the manner in which procedures for ratification for a proposed agreement are adopted by the coalition.

I ask your assistance in making the coalition bargaining to be established by Senate Bill 80 more workable and effective. I therefore request your concurrence in these amendments.

Best regards.

Sincerely,

THOMAS L. JUDGE  
Governor

1. Amend page 1, section 1, line 14.

Following: "This"

Strike: "act"

Insert: "chapter"

2. Amend page 2, section 1, line 3.

Following: "system"

Insert: "as provided in 59-915"

3. Amend page 14, section 8, lines 7 and 8.

Following: "(coalition)"

Strike: "by mutual agreement of the labor organizations involved"

Insert: "on the basis of one vote for each bargaining unit represented in the coalition"

4. Amend page 14, section 8, line 9.

Following: "Ratification"

Insert: "within the coalition"

5. Amend page 14, section 8, lines 11 and 12.

Following: "(coalition)"

Strike: "by mutual agreement of the labor organizations involved"

Insert: "according to procedures adopted by a majority vote of the bargaining units represented in the coalition"

(Material in parentheses denotes cancelled type.)

### SPECIAL ORDERS OF THE DAY

Representative Kennerly introduced Cherie Ryan, Capital High School senior and member of the Minnesota Chippewa Tribe, who demonstrated the Lord's Prayer in Indian sign language, vocal accompaniment by Representative Kanduch.

### REPORTS OF STANDING COMMITTEES

#### LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL

(Quilici, Chairman):

4/18/77

Recommend that the following be employed by the House of Representatives for the 45th Session at the beginning of business April 18, 1977:

Steven Hansen .....	Page
Sherri S. Spurlock .....	Page
Milford L. Wearley .....	Page

At the close of business April 16, 1977, the following also be terminated:

Mike J. Andrus .....	Page
Robert E. Brester .....	Page
Leslie Ann Budewitz .....	Page

Report adopted.

### REPORTS OF SELECT COMMITTEES

#### JOINT CONFERENCE COMMITTEE

#### ON HOUSE AMENDMENTS TO SENATE BILL NO. 399

Report No. 1, April 15, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Bill No. 399, met April 14, 1977, and considered:

House Committee on Public Health, Welfare and Safety Amendments dated March 25, 1977, and

House Committee of the Whole Amendments, dated April 7, 1977, and recommend as follows:

Having had under consideration House Committee on Public Health, Welfare and Safety Amendments dated March 25, 1977,

That the Senate accede to amendment numbers 1 and 2.

Having had under consideration House Committee of the Whole Amendments dated April 7, 1977,

That the House recede from amendment number 1, which reads as follows:

1. Amend page 2, section 1, line 10.

Following: "(diagnosis)."

Insert: "Provided, that the x-ray exposure of minors and women of childbearing age shall be prohibited, except as authorized by the department of health and environmental sciences."



And further that Senate Bill 399, third reading bill, be amended as follows:

1. Amend page 2, section 1, line 6.

Following: "x-ray"

Insert: "in accordance with guidelines promulgated or approved by state or federal health regulatory agencies"

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on Senate Bill No. 399 be adopted.

FOR THE SENATE:

BOYLAN  
RASMUSSEN  
OLSON

FOR THE HOUSE:

DUSSAULT  
COONEY  
McLANE

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/18/77

Bills, on 4/16/77, concurred in by the Senate, and returned to the House:

House Bill No. 649, introduced by Bertelsen

House Bill No. 836, introduced by Driscoll, Meloy, Bradley

4/18/77

Senate adopted the following conference committee reports on roll call vote:

Conference Committee on Senate Amendments to House Bill No. 738

Conference Committee on Senate Amendments to House Bill No. 462

### MOTIONS

Meloy moved that the Governor's Amendments to SB 80 be placed on Second Reading today. Motion carried.

Dussault moved that the rules be suspended to allow the House to reconsider its action in failing to concur in the Senate Amendments to HB 816. Motion carried.

Dussault moved that the House reconsider its action in failing to concur in the Senate Amendments to HB 816. Motion carried.

Dussault moved that the Senate Amendments to HB 816 be placed on Second Reading today. Motion carried.

Dussault moved that the rules be suspended to allow late introduction of SJR 50.

Dussault moved that the rules be suspended and that SJR 50 be placed on Second Reading today without going through the committee structure. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Estenson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 145 be placed at the bottom of the board.

Teague excused at this time.

That the Conference Committee Report on HB 773 be adopted. (51-43)

That the Conference Committee Report on SB 198 be adopted. (89-0)

That the Conference Committee Report on SB 399 be adopted. (72-22)

That SA to HB 365 be concurred in. (63-33)

That SA to HB 737 be not concurred in. (61-30)

That SA to HB 779 be not concurred in. (74-15)

That SA to HB 816 be concurred in. (85-0)

That HB 144 be placed below the Conference Committee Report on HB 145.

That HB 278 be placed below HB 144.

That SB 271 be passed for the day.

That SJR 50 be concurred in. (74-14)

That the Governor's Amendments to SB 80 be concurred in.

That the Conference Committee Report on HB 145 be adopted. (52-46)

That the committee rise and report and beg leave to sit again. (Estenson, Chairman) Report adopted.

### MOTIONS

Meloy moved that the Conference Committee Report on SB 198 be rereferred from Third Reading to the Conference Committee. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Conference Committee Report on House Bill No. 773 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Conroy, Cooney, Courtney, Curtiss, Dassinger, Day, Dussault, Estenson, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennkens, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lien, Manuel, Meloy, Metcalf, Meyer, O'Connell, O'Keefe, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Severson, Sheldon, Sivertsen, South, Staigmiller, Tropila, Uhde, Underdal, Vincent, Waldron, Williams, Mr. Speaker.

Total 59

Noes: Aageson, Barrett, Burnett, Cox, Davis, Ellis, Ellison, Ernst, Feda, Gould, Hand, Hurwitz, Jensen, Keyser, Kropp, Kvaalen, Lory, Lund, Lynch, McLane, Marks, Menahan, Moore, Mular, Nathe, Porter, Ramirez, Roth, Seifert, Smith, Stobie, Turner, Vinger, Wood, Wyrick.

Total 35

Paired: Colburn, Scully, Ayes; Keyser, Porter, Noes.

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Ellerd, Eudaily, Tower.

Total 3

The Conference Committee Report on Senate Bill No. 399 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fagg, Frates, Gerke, Gould, J. Gunderson, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, Nathe, O'Keefe, Palmer, Quilici, Ramirez, Robbins, Severson, Shelden, Sivertsen, South, Staigmiller, Uhde, Vincent, Waldron, Wood, Wyrick, Mr. Speaker.

Total 62

Noes: Aageson, Bertelsen, Brand, Burnett, Curtiss, Ellison, Fabrega, Feda, Gilligan, E. Gunderson, Hand, Hansen, Hirsch, Kenny, McLane, Marks, Meyer, Moore, O'Connell, Pistoria, Porter, Roth, Ryan, Seifert, Smith, Stobie, Tropila, Turner, Underdal, Vinger, Williams.

Total 31

Paired: Dussault, Aye; Kenny, No.

Excused: Halvorson, Teague.

Total 2

Absent or not voting: Colburn, Ellerd, Harper, Scully, Tower.

Total 5

The Conference Committee Report on House Bill No. 145 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bradley, Brand, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lien, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, South, Staigmiller, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 52

Noes: Aageson, Barrett, Bertelsen, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Feda, Gould, Huennekens, Jensen, Keyser, Kropp, Kvaalen, Lory, McLane, Marks, Meyer, Moore, Mular, Nathe, O'Keefe, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, Stobie, Tower, Tropila, Turner, Underdal, Vinger, Wood, Wyrick.

Total 43

Paired: Bradley, Aye; Ellerd, No.



Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Colburn, Hurwitz.

Total 2

Senate Amendments to House Bill No. 365 were concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Estenson, Fabrega, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kvaalen, Lien, Lund, Manuel, Meloy, Metcalf, Meyer, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, Sivertsen, Smith, South, Staigmiller, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 63

Noes: Aageson, Barrett, Burnett, Conroy, Cox, Curtiss, Davis, Ellison, Ernst, Eudaily, Feda, Gould, Harrington, Jensen, Keyser, Kropp, Lory, Lynch, McLane, Marks, Menahan, Moore, Mular, Nathe, Roth, Seifert, Severson, Stobie, Tower, Underdal, Vinger, Wyrick.

Total 32

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Colburn, Ellerd.

Total 2

Senate Amendments to House Bill No. 816 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 91

Noes: Jensen.

Total 1

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Colburn, Dassinger, Davis, Ellerd, Wood.

Total 5

Governor's Amendments to Senate Bill No. 80 were concurred in by the following vote:

Ayes: Aageson, Bardanouve, Bengtson, Bertelsen, Bradley, Burnett, Cox, Curtiss, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Estenson,



Eudaily, Fabrega, Fagg, Gerke, J. Gunderson, Hand, Hirsch, Hurwitz, Jensen, Johnston, Kennerly, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Meyer, Moore, Nathe, O'Keefe, Palmer, Porter, Ramirez, Roth, Seifert, Severson, Sivertsen, Smith, South, Stobie, Tower, Turner, Underdal, Wood, Wyrick, Mr. Speaker.  
Total 57

Noes: R. Baeth, W. Baeth, Barrett, Brand, Conroy, Cooney, Courtney, Dassinger, Feda, Frates, Gilligan, Gould, E. Gunderson, Hansen, Harper, Harrington, Holmes, Huennekens, Kanduch, Kenny, Kessler, Kimble, Lynch, Menahan, Metcalf, Mular, O'Connell, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, Staigmiller, Teague, Tropila, Uhde, Vincent, Vinger, Waldron, Williams.  
Total 41

Paired: Ellerd, Hand, South, Ayes; Kenny, Quilici, Teague, Noes.

Excused: Halvorson.  
Total 1

Absent or not voting: Colburn.  
Total 1

Senate Joint Resolution No. 50 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Holmes, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmiller, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 86

Noes: Hirsch, Jensen, Seifert, Smith, Tower.  
Total 5

Excused: Halvorson, Kenny, Teague.  
Total 3

Absent or not voting: Colburn, Ellerd, Ellison, Harrington, Huennekens, Lynch.  
Total 6

## COMMUNICATIONS AND PETITIONS

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on HB 800: Holmes, Chairman; Kimble and Ramirez.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/18/77  
Correctly enrolled - HB 370, HB 378, HB 411, HB 461, HB 569,  
HB 808, HB 836.

Will be signed by the Speaker at 2:45 p.m., 4/18/77 - HB 461.

Was signed by the Speaker at 2:45 p.m., 4/18/77 - HB 461.

Will be signed by the Speaker on adjournment, 4/18/77 - HB 411, HB 836, HJR 65.

Will be signed by the Speaker at 2:30 p.m., 4/18/77 - SB 9, SB 26, SB 65, SB 124, SB 155, SB 162, SB 170, SB 177, SB 199, SB 200, SB 226, SB 227, SB 252, SB 286, SB 310, SB 333, SB 354, SB 375, SB 380, SB 382, SB 384, SB 391, SB 392, SB 419, SB 421, SB 448, SJR 19, SJR 28, SJR 43, SJR 44, HB 370, HB 378, HB 569, HB 808.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 2:00 p.m., 4/18/77 - HB 461.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 4:45 p.m., 4/18/77 - HB 41, HB 123, HB 178.

Examined by Sponsors and found to be correct - HB 370, HB 378, HB 411, HB 461, HB 569, HB 808, HB 836, HJR 65.

APPROPRIATIONS (Bardanoue, Chairman):  
HB 708, introduced bill, be amended as follows:

4/18/77

1. Amend title, line 5.

Following: "of"

Strike: "administration"

Insert: "natural resources and conservation"

2. Amend page 1, section 1, line 12.

Following: "of"

Strike: "administration"

Insert: "natural resources and conservation"

3. Amend page 1, section 1, lines 19 through 21.

Following: "upon"

Strike: "the execution of a contract between the North Boulder drainage district and the department of fish and game"

Insert: "appropriate arrangements being made"

4. Amend pages 1 and 2, section 1, lines 23 through 25 on page 1 and lines 1 through 9 on page 2.

Following: line 22

Strike: lines 23 through 25 on page 1 and lines 1 through 9 on page 2 in their entirety

Renumber: subsequent subsections

5. Amend page 2, section 1, line 16.

Following: "million;"

Insert: "this loan is authorized notwithstanding the provisions of 89-3603(4) and 89-3605(4);"

6. Amend pages 3 and 4, section 1, lines 3 through 25 on page 3 and lines 1 through 10 on page 4.

Following: line 2

Strike: lines 3 through 25 on page 3 and lines 1 through 10 on page 4 in their entirety

7. Amend page 4.

Following: line 10

Insert: "Section 2. Water Rights Study. There is appropriated \$20,000 in fiscal 1978 and \$40,000 in fiscal 1979 from the renewable resource development clearance account to fund the provisions of House Joint Resolution 81."

Renumber: subsequent sections

8. Amend page 4, section 2, line 15.

Following: line 15

Insert: "Section 3. Conditions of grants and loans. Disbursement of funds under this act shall be made only after (1) the projects have been authorized by other financial sponsors, if any; (2) initial funding from other sources, if any, has been committed for construction, and; (3) an agreement between the department of natural resources and conservation and the applicant has been executed governing the administration and disposal of funds."

And as amended, do pass. Report adopted.

HB 799, introduced bill, be amended as follows:

1. Amend title, line 4.

Following: "appropriating"

Strike: "\$100,000"

Insert: "\$50,000"

2. Amend title, lines 7 and 8.

Following: "1947"

Strike: ", to authorize such appropriations from the park acquisition allocation of the coal tax"

3. Amend page 1, section 1, line 14.

Following: "of"

Strike: "\$100,000"

Insert: "\$50,000"

4. Amend page 3, section 2, subsection (8), line 13.

Following: "capitol,"

Insert: "and other cultural and aesthetic projects,"

5. Amend page 3, section 2, subsection (8), line 21.

Following: "capitol"

Insert: "and other cultural and aesthetic projects"

And as amended, do pass. Report adopted.

HB 841, do not pass.

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 263

Report No. 2, April 18, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 263, met April 18, 1977, and considered:

Senate Committee on State Administration Amendments dated April 2, 1977, and recommend as follows:

Having had under consideration Senate Committee on State Administration Amendments dated April 2, 1977,

That the House accede to amendment numbers 1 through 12 and number 13 (Sections 3 and 5),

And further that the Senate recede from (insertion Section 4) amendment number 13. (Due to length, amendment number 13 will not be

reprinted. The change made will be indicated in conference committee amendment number 1, further below),

And further that House Bill No. 263, third reading bill, be amended as follows:

1. Amend amendment no. 13, insertion paragraph.

Following: section 3

Insert: "Section 4. Interpretation. This act is not intended to increase or decrease benefits earned by present members under prior acts. The amendments in section 3 of this act are intended to clarify that section but are not intended to imply that prior to the effective date of this act a member could have retired prior to age 50 with full benefits to be paid at age 50."

And that the Conference Committee Report on House Bill No. 263 be adopted.

FOR THE HOUSE:

KIMBLE  
PALMER  
BARRETT

FOR THE SENATE:

R. SMITH  
RASMUSSEN  
DOVER

Report adopted.

FREE JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 521  
Report No. 1, April 18, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 521, met April 18, 1977, and considered:

Senate Committee on Local Government Amendments dated April 7, 1977,

Senate Committee of the Whole Amendments dated April 12, 1977, and recommend as follows:

Having had under consideration Senate Committee on Local Government Amendments dated April 7, 1977,

That the Senate recede from amendment numbers 1 through 3, reading as follows:

1. Amend title, page 1, line 10.

Following: "affairs"

Insert: "to appropriate monies;"

2. Amend page 2, section 4, line 15.

Following: "Allocation."

Strike: lines 15, 16, and 17 in their entirety

Insert: "Monies appropriated for the state-local revenue sharing program shall be allocated 50% among all municipalities, and 50% among all counties on the following basis."

3. Amend page 3, section 7, line 19.

Following: line 18

Insert: "Section 7. Appropriation. There is appropriated from the general fund the sum of \$3,000,000 to be used to implement this act for the fiscal year ending June 30, 1979."

Having had under consideration Senate Committee of the Whole Amendments dated April 12, 1977,



That the Senate recede from amendment numbers 1 through 3, reading as follows:

1. Amend Senate Standing Committee amendment numbers 1 through 3, dated April 7, 1977.

Strike: amendment numbers 1 through 3 in their entirety

2. Amend page 2, section 4, lines 18 through 25.

Following: line 17

Strike: subsection 1 in its entirety

3. Amend page 3, section 4, line 1.

Following: line 25 on page 2

Strike: "(2) The remainder of the available moneys"

Insert: "(1) The money"

ReNUMBER: subsequent subsection

And that the Conference Committee Report on House Bill 521 be adopted.

FOR THE HOUSE:

BRADLEY  
GERKE  
SIVERTSEN

FOR THE SENATE:

DUNKLE  
WATT

Report adopted.

FREE JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 800  
Report No. 2, April 18, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 800, met April 18, 1977, and considered:

Senate Committee on Judiciary Amendments dated April 1, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated April 1, 1977,

That the Senate recede from amendment number 1, reading as follows:

1. Amend page 1, section 3, line 22.

Following: "exceed"

Strike: "\$500"

Insert: "\$1,500"

And further that the House accede to amendment numbers 2 and 3,

And further that House Bill No. 800, third reading bill, be amended as follows:

1. Amend page 1, section 3, line 22.

Following: "exceed"

Strike: "\$500"

Insert: "\$750"

And that the Conference Committee Report on House Bill No. 800 be adopted.

FOR THE SENATE:

WARDEN  
MURRAY  
HAZELBAKER

FOR THE HOUSE:

HOLMES  
KIMBLE  
RAMIREZ

Report adopted.

JOINT CONFERENCE COMMITTEE  
ON HOUSE AMENDMENTS TO SENATE JOINT RESOLUTION NO. 39  
Report No. 1, April 18, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Resolution No. 39, met April 18, 1977, and considered:

House Committee on Local Government Amendments dated April 2, 1977, and recommend as follows:

That the House recede from amendment no. 1,

(This amendment provided for a select committee to study House Bill 122 and to prepare and deliver to the Legislative Council any recommendations or proposed legislation on or before August 31, 1978.)

And that the Conference Committee Report on Senate Joint Resolution No. 39 be adopted.

FOR THE SENATE:

HAZELBAKER  
TURNAGE  
FLYNN

FOR THE HOUSE:

ROBBINS  
WALDRON  
RAMIREZ

Report adopted.

FREE JOINT CONFERENCE COMMITTEE  
ON SENATE BILL NO. 198  
Report No. 1, April 16, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 198, met April 16, 1977, and considered:

House Committee on Local Government Amendments dated April 2, 1977, and

House Committee of the Whole Amendments dated April 6, 1977, and recommend as follows:

Having had under consideration House Committee on Local Government Amendments dated April 2, 1977,

That the Senate accede to amendment numbers 1, 2, 3, 4, 7, 8, 9, 10, 11, 12 and 13,

That the House recede from amendment numbers 5 and 6, reading as follows:

5. Amend page 3, section 3, line 11.

Following: line 10

Strike: "centerline"

Insert: "3-mile radius from the airport reference point"

6. Amend page 3, section 4, lines 21 and 22.

Following: "(nonresidential)"

Strike: "height and noise"  
 Insert: "nonresidential"

Having had under consideration House Committee of the Whole amendments dated April 6, 1977

That the Senate accede to amendment numbers 1 and 2,

And further that Senate Bill No. 198, third reading bill, be amended as follows:

1. Amend page 3, section 2, line 5.

Following: "may"

Strike: "cover an area larger than a"

Insert: "extend more than 10,000 feet out from the thresholds of the primary instrument approach runway or exceed one mile in width on each side of the primary instrument approach runway and its extended"

2. Amend page 3, section 4, line 18 through line 25.

Following: "Section 4."

Strike: section 4 in its entirety

Insert: "Temporary effect of designation. Upon the designation of an airport influence area, the use of land within the airport influence area shall be restricted as to height consistent with part 77, federal aeronautics regulations, until rules are adopted pursuant to this act. This restriction does not affect nonconforming uses and areas already zoned on July 1, 1977, and may not be imposed for a period of more than 1 year. After the designation of an airport influence area, no person may recover from a local government damages caused by noise and vibrations from normal and anticipated normal airport operations."

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on Senate Bill No. 198 be adopted.

FOR THE SENATE:

FOR THE HOUSE:

MURRAY  
 ROSKIE

DAY  
 SHELDEN  
 EUDAILY

Report adopted.

## MESSAGES FROM THE GOVERNOR

April 18, 1977

The Honorable Gordon McOmber  
 President of the Senate  
 State Capitol  
 Helena, Montana 59601

The Honorable John Driscoll  
 Speaker of the House of Representatives  
 State Capitol  
 Helena, Montana 59601

Dear President McOmber and Speaker Driscoll:

I, Thomas L. Judge, in accordance with the constitutional powers conferred upon me as Governor, hereby return Senate Bill 44, "An act to

bring the coal tax distribution formula into compliance with the Montana Constitution as amended in 1976 by creating a trust fund; revising the percentages distributed to local governments and state programs and the programs funded thereunder; amending Sections 50-1803, 50-1806, 82-3710, and 84-1319, R.C.M. 1947.", without my signature and recommend the attached amendments.

For the biennium ending June 30, 1979, Senate Bill 44 allocates two and one-half percent of the coal severance taxes to the Fish and Game Department. This money is to be used for operation and maintenance, as well as acquisition, of state parks.

The budget of the Fish and Game Department contemplates that this coal tax money will be available for operation and maintenance of all state parks during the coming biennium. Senate Bill 44, as passed, limits operation and maintenance and expenditures from this source to only those state parks which have been acquired with coal tax monies. This limitation would force the department to close other parks, or reduce services provided to other parks for lack of operation and maintenance funding.

The attached amendments make the coal severance tax monies going to the department available for operation and maintenance of all state parks, as well as for the acquisition of new parks. By its location in the section, this amendment applies only to the monies expended in the coming biennium.

I urge your concurrence in these amendments.

Sincerely,

THOMAS L. JUDGE  
Governor

1. Amend page 4, section 1, lines 2 and 3.

Following: "acquisition,"

Insert: "operation, or maintenance"

2. Amend page 4, line 4.

Following: line 3

Strike: line 4 in its entirety

### MESSAGES FROM THE OTHER HOUSE

4/18/77

Senate, on 4/16/77, rejected the Free Conference Committee Report on House Bill No. 29.

4/18/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to confer with a like committee of the House on House Bill No. 622:

Senator Boylan, Chairman  
Senator Towe  
Senator Nelson

Resolution passed by the Senate and transmitted  
to the House for concurrence:

4/18/77

Senate Joint Resolution No. 50, introduced by Regan, Blaylock, et al

4/18/77

Senate, on 4/16/77, rejected the House Amendments to Senate Bill No.



192 and the President was authorized to appoint the following Free Conference Committee and requests the House to appoint a like committee to confer on Senate Bill No. 192:

Senator McCallum, Chairman  
Senator Dunkle  
Senator Boylan

4/18/77

Governor's Amendments to Senate Bill No. 80, introduced by the Select Committee on Employee Pay (Roberts, Chairman), were adopted by the Senate, and transmitted to the House for concurrence in Governor's Amendments.

4/18/77

Senate acceded to the request of the House and the President was authorized to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 434:

Senator Manley, Chairman  
Senator Mathers  
Senator Watt

4/18/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee from the House to confer on House Bill No. 701:

Senator Stephens, Chairman  
Senator Towe  
Senator Etchart

### MOTIONS

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to House Bill 29. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on House Bill 737. Motion carried.

Meloy moved that the Governor's proposed amendments to HB 724 and SB 44 be placed on Second Reading for consideration today. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on Senate Bill 192. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following to a free conference committee of three to meet with a like committee from the Senate on SB 192: O'Connell, Chairman; Gerke and Keyser.

The Speaker appointed the following to a conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 29: Bengtson, Chairman; Uhde and Eudaily.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on HB 737: Huennekens, Chairman; Vincent and Fagg.

House recessed at 5:05 p.m.

House resumed at 7:00 p.m.

Mr. Speaker in the Chair.

### REPORTS OF SELECT COMMITTEES

#### FREE JOINT CONFERENCE COMMITTEE

ON SENATE BILL NO. 125

Report No. 2, April 18, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 125, met April 18, 1977, and considered:

House Committee on Business and Industry Amendments dated April 6, 1977, and recommend as follows:

That the House recedes from amendment numbers 1 and 2, which read as follows:

1. Amend title, line 13.

Following: "(66-1934)"

Insert: "41-2005,"

2. Amend page 7, section 4, line 24.

Following: "(66-1934)"

Insert: "41-2005,"

And further that Senate Bill No. 125, third reading bill, be amended as follows:

1. Amend title, line 13.

Following: "(66-1934)"

Strike: "66-1933"

2. Amend title, line 14.

Following: "66-2113,"

Strike: "66-2609,"

3. Amend page 7, section 4, line 24.

Following: "(66-1934)"

Strike: "66-1933"

4. Amend page 7, section 4, line 25.

Following: "66-2113,"

Strike: "66-2609"

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on Senate Bill No. 125 be adopted.

FOR THE SENATE:

REGAN  
BLAYLOCK  
NELSON

FOR THE HOUSE:

LYNCH  
TROPILA  
MARKS

Report adopted.

**MESSAGES FROM THE GOVERNOR**

April 18, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill Nos. 5, 68, 105, 125, 126, 151, 159, 286, 324, 422, 428, 457, 484, 492, 494, 513, 599, 617, 627, 644, 664, 791, 810 and 837.

Sincerely,

THOMAS L. JUDGE  
Governor

April 18, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 102, 150 and 209.

Sincerely,

THOMAS L. JUDGE  
Governor

**MESSAGES FROM THE OTHER HOUSE**

4/18/77

Senate adopted the following Conference Committee Reports on roll call vote:

Free Conference Committee on Senate Bill No. 198

Conference Committee on House Amendments to Senate Bill No. 399

4/18/77

Senate rejected on roll call vote the Conference Committee Report on Senate Amendments to House Bill No. 156.

**MOTIONS**

Meloy moved that the conference committee on Senate Amendments to HB 156 be dissolved and that a new conference committee be appointed. Motion carried.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Estenson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 144 be placed at the bottom of the board.

That HB 278 be amended as follows:

1. Amend title, line 5.

Following: line 4

Strike: "\$3,500,000"

Insert: "\$500,000"

2. Amend title, line 6.

Following: "at"

Strike: "the units of the Montana university system"

Insert: "the University of Montana and the Montana State University" (61-19)

And be further amended:

3. Amend page 1, section 1, line 14.

Strike: "\$3,500,00"

Insert: "\$500,000"

4. Amend page 1, section 2, lines 18 and 19.

Following: line 17

Strike: "the university system and to renovate university system facilities"

Insert: "the University of Montana and the Montana State University"

5. Amend page 1.

Following: line 20

Insert: "Section 3. Administrative flexibility and matching funds.

This appropriation may be used at either of the two main units of the university system at the discretion of the regent's task force on handicapped students. If more funds should become available from other sources, they may be expended in addition to this appropriation." (62-22)

And as amended, do pass. (61-28)

That HB 708 do pass. (78-17)

That HB 799 do pass. (85-0)

That the Conference Committee Report on HB 263 be adopted. (78-4)

That the Conference Committee Report on HB 521 be passed for the day.

That the Conference Committee Report on HB 800 be adopted. (75-8)

That the Conference Committee Report on SJR 39 be adopted. (74-11)

That the Conference Committee Report on SB 198 be adopted. (77-4)

That the Governor's Amendments to SB 44 be passed for the day.

That the Governor's Amendments to HB 724 be passed for the day.

That HB 144 be passed for the day.



That the committee rise and report and beg leave to sit again.  
(Estenson, Chairman) Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/18/77

Governor's Amendments to Senate Bill No. 44, introduced by Manning, Mathers, et al, were adopted by the Senate and transmitted to the House for concurrence.

4/18/77

Senate dissolved the Conference Committee on House Amendments to Senate Bill No. 224, the President was authorized to appoint the following Free Conference Committee and the Senate requests the House to appoint a like committee:

Senator Story, Chairman  
Senator Brown  
Senator R. Smith

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 278 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Dassinger, Day, Ellis, Ernst, Estenson, Eudaily, Fabrega, Frates, Gilligan, Gould, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kropp, Kvaalen, Lien, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Shelden, Sivertsen, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 64

Noes: Burnett, Curtiss, Davis, Ellison, Fagg, Feda, E. Gunderson, J. Gunderson, Hirsch, Lory, McLane, Moore, Roth, Seifert, Smith, Staigmiller, Stobie, Tower, Turner, Underdal, Vinger, Wood, Wyrick.

Total 23

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Bardanouve, Colburn, Conroy, Dussault, Ellerd, Gerke, Keyser, Lund, Marks, South.

Total 10

House Bill No. 708 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 74

Noes: Burnett, Feda, J. Gunderson, Jensen, Kropp, Seifert, Smith, Staigmiller, Stobie, Tower, Turner, Underdal, Vinger, Wyrick.

Total 14

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Bardanouve, Colburn, Conroy, Dussault, Ellerd, Gerke, Lund, Marks, South.

Total 9

House Bill No. 799 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Kvaalen.

Total 1

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Bardanouve, Colburn, Conroy, Dussault, Ellerd, Gerke, Lund, Marks, Meloy, South.

Total 10

The Conference Committee Report on House Bill No. 263 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Smith, Staigmiller, Stobie, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 81

Noes: Hurwitz, Moore, Roth, Vinger.

Total 4

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Bardanouve, Colburn, Conroy, Davis, Dussault, Ellerd, Gerke, Kessler, Lund, Marks, South, Wood.

Total 12

The Conference Committee Report on House Bill No. 800 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Seifert, Shelden, Sivertsen, Staigmillier, Stobie, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 79

Noes: Burnett, Ellison, Feda, Kvaalen, Moore, Ryan, Scully, Severson, Smith, Tower.

Total 10

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Bardanouve, Colburn, Dussault, Ellerd, Gerke, Lund, Marks, South.

Total 8

The Conference Committee Report on Senate Joint Resolution No. 39 was adopted by the following vote:

Ayes: Ageson, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Dassinger, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gilligan, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, O'Keefe, Porter, Quilici, Ramirez, Robbins, Scully, Severson, Sivertsen, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Mr. Speaker.

Total 72

Noes: R. Baeth, Burnett, Davis, Gould, J. Gunderson, Johnston, Palmer, Pistoria, Roth, Ryan, Seifert, Shelden, Smith, Staigmillier, Stobie, Wyrick.

Total 16

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Bardanouve, Colburn, Conroy, Dussault, Ellerd, Gerke, Lund, Marks, South.

Total 9

The Conference Committee Report on Senate Bill No. 198 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Seifert, Severson, Shelden, Sivertsen, Staigmillier, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 82

Noes: Ellison, Feda, Hansen, Moore, Smith, Stobie, Vinger.

Total 7

Excused: Halvorson, Kenny, Teague.

Total 3

Absent or not voting: Bardanouve, Colburn, Dussault, Ellerd, Gerke, Lund, Marks, South.

Total 8

### MOTIONS

Meloy moved that the conference committee on Senate Amendments to HB 29 be dissolved and that a free conference committee be appointed on HB 29. Motion carried.

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on SB 224. Motion carried.

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 156. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 156: Bengtson, Chairman; Lien and Ellis.

The Speaker appointed the following free conference committee from the Senate to meet with a like committee from the Senate on SB 224: Harper, Chairman; Shelden and Bertelsen.

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on HB 29: Bengtson, Chairman; Uhde and Eudaily.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/18/77

Correctly enrolled - HB 160, HB 215, HB 567, HB 649, HB 772, HB 832, HB 835, HJR 98, HJR 99, HR 5.

Examined by Sponsors and found to be correct - HB 160, HB 215, HB 567, HB 649, HB 772, HB 832, HB 835, HR 5, HJR 98, HJR 99.

Meloy moved that the House adjourn until 9:30 a.m., April 19, 1977.

Motion carried.

House adjourned at 8:45 p.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## NINETIETH LEGISLATIVE DAY

Helena, Montana  
April 19, 1977

House Chambers  
Capitol Building

House convened at 9:30 a.m., Mr. Speaker in the Chair. Invocation by Representative Dussault. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Halvorson, Kenny, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/19/77  
Correctly enrolled - HB 250, HB 292, HB 498, HB 728, HJR 97, HJR 100.

Examined by Sponsors and found to be correct - HB 250, HB 502, HB 728, HJR 100.

### MESSAGES FROM THE OTHER HOUSE

Senate has authorized the President to appoint the following New Free Conference Committee to meet with a like committee from the House on House Bill No. 29: 4/18/77

Senator Kolstad, Chairman  
Senator Jergeson  
Senator Stephens

### REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 29  
Report No. 2, April 18, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 29 met April 18, 1977, and considered:

Senate Committee on Judiciary Amendments dated March 21, 1977, and recommend as follows:

Having had under consideration Senate Committee on Judiciary Amendments dated March 21, 1977,

That the House accede to amendment numbers 1, 2, 4, 5, and 6,

That the Senate recede from amendment number 3, which reads as follows:

3. Amend page 1, section 1, lines 17 through 20.

Following: "that"

Strike: lines 17 through 20 in their entirety

Insert: "the legislature or the people by initiative may establish the legal age for consuming or possessing alcoholic beverages."

And further that House Bill No. 29, third reading bill, be amended as follows:

1. Amend page 1, section 1, lines 17 through 20.

Following: "except that"

Strike: "no person under 19 years of age may have in his possession, except as provided by the legislature, or consume (or have in his possession) any alcoholic beverage"

Insert: "the legislature or the people by initiative may establish an age of not more than 19 as the legal age for consuming or possessing alcoholic beverages"

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 29 be adopted.

FOR THE HOUSE:

BENGTSON, Chairman  
EUDAILY

FOR THE SENATE:

KOLSTAD, Chairman  
STEPHENS

Report adopted.

#### JOINT CONFERENCE COMMITTEE

HOUSE BILL NO. 434

Report No. 1, April 19, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 434, met April 18, 1977, and considered:

Senate Committee on Taxation Amendments dated April 13, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 13, 1977,

That the House accede to amendment numbers 1 and 2,

And that the Joint Conference Committee Report on House Bill No. 434 be adopted.

FOR THE HOUSE:

WILLIAMS  
J. GUNDERSON  
UNDERDAL

FOR THE SENATE:

MATHERS  
WATT

Report adopted.

#### FREE JOINT CONFERENCE COMMITTEE

SENATE BILL NO. 192

Report No. 1, April 18, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill 192, met April 18, 1977, and considered:

House Committee on Local Government Amendments dated March 26, 1977, and recommend as follows:

That the House recede from amendment numbers 2, 3, 8, 9, and 10, which read as follows:

2. Amend title, line 5.

Following: "the"

Insert: "minimum"

3. Amend page 1, section 1, line 13.

Following: line 12

Insert: "minimum"

8. Amend page 4, section 1, line 7.

Following: "The"

Strike: "total"

Insert: "minimum"

9. Amend page 4, section 1, line 16.

Following: line 15

Insert: "minimum"

10. Amend page 4, section 1, lines 18 and 19.

Following: "in addition to the"

Insert: "minimum"

That the Senate accede to amendment numbers 1, 4, 5, 6, 7, 11, 12, and 13,

And further that Senate Bill 192, third reading bill, be amended as follows:

1. Amend page 1, section 1, line 18.

Following: "county"

Insert: "as of January 1, 1977,"

And that the Conference Committee Report on Senate Bill No. 192, be adopted.

FOR THE SENATE:

McCALLUM

DUNKLE

BOYLAN

FOR THE HOUSE:

O'CONNELL

GERKE

KEYSER

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/18/77

Bills and Resolution concurred in by the Senate and returned to the House:

House Bill No. 282, introduced by Manuel, Johnston, et al

House Bill No. 838, introduced by Driscoll

House Joint Resolution No. 103, introduced by Meloy

4/18/77

Bills concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 140, introduced by Lynch, Quilici, Mular, Meloy, Harrington

House Bill No. 242, introduced by Palmer, Gould, Ellis, Lory, Cooney

4/19/77

Bill, on 4/18/77, concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 828, introduced by Gerke, Williams, Teague, et al

4/18/77

Resolution on Committee of the Whole in the Senate, recommended that further action be indefinitely postponed, report adopted, and returned to the House:

House Joint Resolution No. 104, introduced by Fagg, Meloy

4/18/77

Senate adopted the following Conference Committee and Free Conference Committee Reports:

Free Conference Committee on House Bill No. 773

Conference Committee on House Amendments to Senate Joint Resolution No. 39

Free Conference Committee on House Bill No. 263

Free Conference Committee on House Bill No. 800

4/18/77

House Amendments to Senate Bill No. 445, introduced by Lockrem, concurred in by the Senate on third reading.

4/18/77

The Free Conference Committee Report on Senate Bill No. 125 was adopted by the Senate on roll call vote.

### MOTIONS

Meloy moved that the conference committee on House Amendments to SB 195 be dissolved and that a free conference committee be appointed on SB 195. Motion carried.

Meloy moved that the conference committee on Senate Amendments to HB 70 be dissolved and that a free conference committee be appointed on HB 70. Motion carried.

Meloy moved that SB 271 be rereferred from Second Reading to the Committee on Education. Motion carried.

Conroy moved that the free conference committee on HB 577 be dissolved and that a second new free conference committee be appointed on HB 577. Motion carried.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 144 be passed to the bottom of the board.

That the Conference Committee Report on HB 521 be adopted.  
(65-18)



That the Conference Committee Report on SB 125 be adopted. (65-28)

That the Governor's Amendments to SB 44 be postponed until consideration can be made on Senate Amendments to HB 630.

That the Governor's Amendments to HB 724 be concurred in. (84-1)

That SA to HB 140 be not concurred in. (87-4)

That SA to HB 242 be concurred in. (79-10)

That SA to HB 828 be concurred in. (66-22)

That HB 144 be amended as follows:

1. Amend page 5, line 23.

Following: line 23

Insert:

"Film and Television Building Construction —  
Montana State University \$1,264,500" (54-40)

And be further amended:

2. Amend title, lines 5 and 6.

Following: "1979"

Strike: ", and"

Insert: ";

3. Amend title, line 7.

Following: "appropriations"

Insert: "; and providing an effective date for House Bill 143"

4. Amend page 11.

Following: line 4

Insert: "Section 11. Effective date of House Bill 143. The effective date of House Bill 143, Laws of 1977, is April 18, 1977." (84-1)

And be further amended:

5. Amend page 2, line 14.

Following: "amendment"

Insert: "or certificate of need assessment is applied to any medical or long-term care facility" (56-25)

And be further amended:

6. Amend page 10, section 9.

Following: line 25

Insert: "The director of the department of fish and game may not conclude the purchase of any fishing access, game range, or park land from the above funds until the individual purchases have been reviewed by the legislative finance committee." (48-42)

And be further amended:

7. Amend page 8, section 8.

Following: line 11

Insert: "The appropriation of ERA may be spent only after all approved loans for the airport development aid projects have been fully funded." (82-0)

And be further amended:

8. Amend title, line 7.

Following: "appropriations"

Insert: “; and providing an effective date”

9. Amend page 4, section 8, line 10.

Following: “Protection”

Insert: “, Lewistown”

10. Amend page 4, section 8, line 16.

Following: “Springs”

Insert: “, Galen, Boulder”

11. Amend page 4, section 8, line 19.

Following: “Roof”

Insert: “and Water Improvement”

12. Amend page 4, section 8.

Following: line 25

Insert: “Glendive Nursing Home - Furniture”

“54,000”

13. Amend page 7, section 8.

Following: line 19

Insert:

“Russell and Paxson Mural Preservation, Capitol  
Capitol Building FPRA”

“15,000”

14. Amend page 11, section 10, line 2.

Following: “all”

Insert: “laundry”

15. Amend page 11.

Following: line 4

Insert: “Section 12. Revenue sharing appropriation. There is appropriated from the FPRA revenue sharing capital construction account no. 04601 to account no. 06142 in the bond proceeds and insurance clearance fund \$523,123.

Section 13. Effective date. Sections 1 through section 11 of this act are effective upon passage and approval.”

And as amended, do pass. (90-0)

And be further amended:

16. Amend page 11.

Following: line 4

Insert:

“Section 14. Education Trust Fund Projects.

Library, Northern Montana College	1,500,000
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Science Building, University of Montana	1,000,000
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Auto diesel lab, Northern Montana College	70,000
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Handicapped projects,

Montana University system	500,000
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Physical Education complex, School

for the Deaf and Blind	1,250,000
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Electronic Spectroscope, Montana Tech	240,000
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Preplanning T.V. facility,

Montana State University	25,000
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Section 15. Reversion. In the amount the appropriations from section 13 are less than the amount transferred from the education trust fund account in House Bill 823 a reversion shall be made to the education trust fund account.” (78-6)

And as amended, do pass. (85-4)

That the committee rise and report and beg leave to sit again. (Ramirez, Chairman) Report adopted.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Conference Committee Report on Senate Bill No. 125 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, South, Staigmiller, Stobie, Teague, Tower, Turner, Uhde, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 80

Noes: Aageson, Curtiss, Lund, Smith, Tropila, Underdal.

Total 6

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Burnett, Colburn, Hirsch, Kennerly, Meloy, Mular, O'Keefe, Roth, Seifert, Severson, Sivertsen.

Total 11

Governor's Amendments to House Bill No. 724 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 88

Noes: Burnett, Uhde.

Total 2

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, Kennerly, Meloy, O'Keefe, Pistoria, Ryan, Seifert.

Total 7

Senate Amendments to House Bill No. 242 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Severson, Shelden, Sivertsen, South, Staigmilller, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.  
Total 80

Noes: Brand, Burnett, Ellison, Keyser, Meyer, Moore, Roth, Ryan, Smith, Stobie, Tower, Vinger, Wyrick.  
Total 13

Excused: Ellerd, Halvorson, Kenny.  
Total 3

Absent or not voting: Colburn, Kennerly, O'Keefe, Seifert.  
Total 4

Senate Amendments to House Bill No. 828 were concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, South, Staigmilller, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 78

Noes: Aageson, Burnett, Dussault, Holmes, Meyer, Moore, Pistoria, Smith, Stobie, Uhde, Waldron.  
Total 11

Excused: Ellerd, Halvorson, Kenny.  
Total 3

Absent or not voting: Colburn, Ellison, Kennerly, Lynch, Quilici, Ramirez, Scully, Seifert.  
Total 8

House Bill No. 144 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, J. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, South, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Williams, Wood, Wyrick, Mr. Speaker.  
Total 84



Noes: Bardanouve, Conroy, Cox, Estenson, Holmes, Meyer, Pistoria, Smith.

Total 8

Paired: Ellerd, Aye; Cox, No.

Excused: Halvorson, Kenny.

Total 2

Absent or not voting: Colburn, Kennerly, Moore, Quilici, Seifert, Waldron.

Total 6

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman): 4/19/77

Correctly enrolled - HB 85, HB 261, HB 302, HB 365, HB 650.

Will be signed by the Speaker at 10:30 a.m., 4/19/77 - SB 269, SB 449, SJR 46.

Will be signed by the Speaker at 11:30 a.m., 4/19/77 - HB 160, HB 215, HB 250, HB 502, HB 567, HB 649, HB 728, HB 772, HB 832, HB 835, HJR 98, HJR 99, HJR 100, HR 5.

Were signed by the Speaker on adjournment, 4/18/77 - HB 411, HB 836, HJR 65.

Were signed by the Speaker on adjournment, 4/18/77 - SB 71, SB 93, SB 120, SB 175, SB 203, SB 225, SB 245, SB 309, SB 363, SB 425, HB 90, HB 141, HB 150, HB 169, HB 245, HB 295, HB 299, HB 334, HB 355, HB 499, HB 595, HB 658, HB 693, HB 721, HB 735, HJR 7, HJR 91.

Were signed by the Speaker at 2:30 p.m., 4/18/77 - SB 200, SB 226, SB 227, SB 252, SB 286, SB 310, SB 333, SB 354, SB 375, SB 380, SB 382, SB 384, SB 391, SB 392, SB 419, SB 421, SB 448, SJR 19, SJR 28, SJR 43, SJR 44, SB 9, SB 26, SB 65, SB 124, SB 155, SB 162, SB 170, SB 177, SB 199, HB 370, HB 378, HB 569, HB 808.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 10:45 a.m., 4/19/77 - HB 499, HB 508, HB 569, HB 595, HB 610, HB 612, HB 658, HB 693, HB 721, HB 735, HB 745, HB 758, HB 808, HB 836.

Examined by the Sponsors and found to be correct - HB 85, HB 292, HB 302, HB 365, HB 498, HB 818, HJR 97.

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 701

Report No. 1, April 18, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 701, met April 18, 1977, and considered:

Senate Committee on Finance and Claims Amendments dated April 15, 1977,

Senate Committee on Taxation Amendments dated April 13, 1977, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 15, 1977,

That the Senate recede from amendment numbers 2 and 3, reading as follows:

2. Amend page 3, section 3, lines 10 and 11.

Following: "(area)"

Strike: "of the governor's substate planning districts"

Insert: "unit of local government"

3. Amend page 3, section 3.

Following: "each"

Strike: "local area"

Insert: "unit of local government"

And further that the House accedes to amendment number 1.

Having had under consideration Senate Committee on Taxation Amendments dated April 13, 1977,

That the Senate recedes from amendment number 1, reading as follows:

1. Amend page 2, section 1, line 10.

Following: "from"

Strike: "the"

Following: "fund"

Insert: "moneys generated by the coal tax trust"

And further that House Bill 701, third reading bill, be amended as follows:

1. Amend page 2, section 1, lines 9 through 12.

Following: line 8

Strike: section 1 in its entirety

Insert: "Section 1. Appropriation. There is appropriated \$300,000 from the interest earnings generated by the coal tax trust fund established under section 84-1319(1) to the department of community affairs for the biennium ending June 30, 1979, for the purpose of expanding the state's weatherization program."

2. Amend page 3, section 3, line 10.

Following: "disbursed"

Insert: "for the purpose of weatherization"

3. Amend page 3, section 3, line 16.

Following: "each"

Strike: "local area"

Insert: "of the Governor's substate planning districts"

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 701 be adopted.

FOR THE HOUSE:

FRATES  
ESTENSON  
EUDAILY

Report Adopted.

FOR THE SENATE:

STEPHENS  
TOWE  
ETCHART

## MESSAGES FROM THE OTHER HOUSE

4/19/77

House Joint Resolution No. 105, introduced by Bardanouve, was concurred in by the Senate on 4/18/77, and returned to the House.

4/19/77

Senate rejected the Free Conference Committee Report on House Bill No. 145.

4/19/77

Senate dissolved the Conference Committee on Senate Amendments to House Bill No. 70, and the President was authorized to appoint the following Free Conference Committee and requests the House to appoint a like committee:

Senator Mathers, Chairman  
Senator Fasbender  
Senator Goodover

4/19/77

Senate acceded to the request of the House and the President was authorized to appoint the following Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 737:

Senator Watt, Chairman  
Senator Brown  
Senator Goodover

4/19/77

Senate dissolved the Conference Committee on House Amendments to Senate Bill No. 195, and the President was authorized to appoint the following Free Conference Committee and requests the House to appoint a like committee:

Senator Flynn, Chairman  
Senator Dover  
Senator Hager

4/19/77

Senate, on roll call vote, adopted the Free Conference Committee Report on Senate Bill No. 192.

4/19/77

Senate dissolved the Free Conference Committee on House Bill No. 145 and the President was authorized to appoint the following New Free Conference Committee to meet with a like committee of the House, and the Senate requests the House to appoint a like committee:

Senator Thiessen, Chairman  
Senator Himsl  
Senator Regan  
Senator Flynn  
Senator Stephens  
Senator Roberts

4/19/77

Senate, on roll call vote, rejected the Free Conference Committee Report on House Bill No. 521.

4/19/77

Senate dissolved the Conference Committee on House Amendments to Senate Bill No. 37, and the President was authorized to appoint the following Free Conference Committee, and requests the House to appoint a like committee:

Senator Turnage, Chairman  
Senator Manley  
Senator Murray

### MOTIONS

Menahan moved that SJR 15 be rereferred from the Committee on Public Health, Welfare and Safety to Second Reading today. Motion carried.

Meloy moved that the Speaker be authorized to appoint free conference committees of three to meet with like committees from the Senate on HB 145 and HB 521. Motion carried.

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 140.

Meloy moved that the conference committee on SB 37 be dissolved and that a free conference committee be appointed on SB 37.

### UNFINISHED BUSINESS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 140: Lynch, Chairman; Gilligan and Marks.

The Speaker appointed the following free conference committees of three to meet with like committees from the Senate to confer on the following:

HB 70: Fabrega, Chairman; Huennekens and Williams;  
HB 145: Bardanouve, Chairman; Lynch, Marks, South, Bradley, and Lund;  
HB 521: Bradley, Chairman; Gerke and Sivertsen;  
HB 577: Conroy, Chairman; Day and Bertelsen;  
SB 37: Harper, Chairman; Tropila and Ramirez.

The Speaker appointed the following new free conference committee of three to meet with a like committee from the Senate on SB 195: Harper, Chairman; Shelden and Lory.

House recessed at 1:00 p.m.

House resumed at 2:00 p.m.

Mr. Speaker in the Chair.

### SPECIAL ORDERS OF THE DAY

The Speaker introduced the Rocky Mountain College Chorus who sang several selections directed by Don Philaja.

### REPORTS OF SELECT COMMITTEES

FREE JOINT CONFERENCE COMMITTEE  
ON HOUSE BILL NO. 70  
Report No. 1, April 19, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill 70, met April 19, 1977, and considered:

Senate Committee on Taxation Amendments dated March 30, 1977,



Senate Committee of the Whole Amendment dated March 31, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated March 30, 1977,

That the Senate recede from amendment numbers 3, 4, 6, 7, and 8, (Due to length, these amendments will not be reprinted),

And further that the House accede to amendment numbers 1, 2, and 5.

Having had under consideration Senate Committee of the Whole Amendment dated March 31, 1977,

That the Senate recede from amendment number 1,

And further, that House Bill 70, third reading bill, be amended as follows:

1. Amend title, line 18.

Following: "84-6407,"

Strike: "84-7403,"

2. Amend title, lines 19 and 20.

Following: "84-301,"

Insert: "and"

Following: "84-302,"

Strike: "84-304, 84-305, 84-307, and 84-308,"

3. Amend page 3, section 3, line 13.

Following: "coal"

Insert: "and metal"

4. Amend page 16, section 6, line 13 through line 12 on page 17.

Following: "(2)"

Strike: the remainder of line 13 and line 14 through line 12 on page 17 in their entirety

Insert: "Class five property is valued and taxed as provided under 84-304, 84-305, 84-307, 84-308, and chapter 46, Title 84."

5. Amend page 18, section 8, line 5.

Following: "eight through"

Strike: "eighteen"

Insert: "nineteen"

6. Amend page 19.

Following: line 12

Insert: "Section 11. Instructions to code commissioner and publisher.

If House Bill 85 is enacted into law, the code commissioner and the publisher shall transfer livestock, poultry, and unprocessed products of both from class eight property to class fourteen property."

Renumber: subsequent sections

7. Amend page 19, section 11, line 24.

Following: line 23

Strike: "'Official Boat Trailer Trade-in Guide Blue Book'"

Insert: "'N.A.D.A. Recreational Vehicle Appraisal Guide'"

8. Amend page 22, section 15, lines 19 through 21.

Following: "meters"

Strike: "and gas regulators and meters that are not part of the single and continuous property that is centrally assessed"

Insert: “, electric light and power substation machinery, and natural gas measuring and regulating station equipment, meters, and compressor station machinery owned by centrally assessed public utilities, and tools used in the repair and maintenance of the property included in this subsection”

9. Amend page 23, section 16, lines 2 through 4.

Following: line 1

Strike: lines 2 through 4 in their entirety

Reletter: subsequent subsection

10. Amend page 24, section 16, line 25.

Following: “value”

Insert: “or so much of 6% as is determined under 84-309, whichever is less.”

11. Amend page 27, section 19, lines 7 through 9.

Following: line 6

Strike: lines 7 through 9 in their entirety

12. Amend page 31, section 20, line 17.

Following: “84-301.6”

Strike: “84-4604 and 84-4605”

Insert: “and the sections cited therein”

13. Amend page 31, section 20, line 23.

Following: “84-301.4”

Strike: “and”

Insert: “,”

14. Amend page 31, section 20, line 24.

Following: “84-301.5,”

Insert: “and 84-301.20,”

Following: “three”

Strike: “and”

Insert: “,”

Following: “four,”

Insert: “and nineteen”

15. Amend page 37, section 26, line 2 through page 40, line 21.

Following: “Section 26.”

Strike: section 26 in its entirety

Insert: “Section 11-1919, R.C.M. 1947, as amended by Section 6, Chapter 157, Laws of 1977, is amended to read as follows:

‘11-1919. State auditor to pay association out of insurance premium taxes. (1) At the end of the fiscal year, the state auditor shall issue and deliver the payment described in this subsection to the treasurer of every city or town of the first and second class which has a fire department relief association entitled by law to receive payments. The payment shall be for the use and benefit of the association. It shall be paid out of the premium taxes on insurance risks enumerated in subsection (6) collected by the state auditor and shall be equal to 10% of the total annual compensation paid by the city or town to its paid or part-paid firemen for services in the previous calendar year. The city clerk of the city or town shall certify in writing to the state auditor, on or before April 1 of each year, the amount paid by the city or town as compensation for services to paid or part-paid firemen.

(2) When there is a disaster resulting in death or injury sufficient to draw the pensions of 10% of the active force and the fund, after

receiving all moneys provided for in 11-1911, 11-1912, and subsection (1) of this section, does not show at least the 1-mill growth referred to in 11-1912, the treasurer of the association shall request and the state auditor shall issue and deliver an additional payment under the same conditions described in subsection (1). The payment shall be in an amount sufficient to cause at least the above-mentioned 1-mill growth in the fund.

(3) If a city is not entitled to receive a sum equal to  $(45/100$  of a mill)  $1\frac{1}{2}$  mills of its total (assessed valuation) taxable value under subsections (1) and (2), the association of the city shall receive its money in the manner provided in subsections (4) and (5) for cities of the third class.

(4) At the end of the fiscal year, the state auditor shall issue and deliver the warrant described in this subsection to the treasurer of every city or town, except cities and towns of the first or second class, which has a fire department relief association entitled by law to receive payments. The warrant shall be for the use and benefit of the association, it shall be for an amount equal to  $(45/100$  of a mill)  $1\frac{1}{2}$  mills of the total (assessed valuation) taxable value of the city or town and shall be paid out of the premium taxes on insurance risks enumerated in subsection (6) collected by the state auditor.

(5) If the payment provided for in subsection (4) is less than \$100, the association shall receive an additional payment from the same tax moneys so that the total amount received is \$100.

(6) The risks referred to in subsections (1) and (4) are:

(a) insurance of houses, buildings, and all other kinds of property against loss or damage by fire or other casualty;

(b) all kinds of insurance on goods, merchandise, or other property in the course of transportation, whether by land, water, or air;

(c) insurance against loss or damage to motor vehicles resulting from accident, collision, or marine and inland navigation and transportation perils;

(d) insurance of growing crops against loss or damage resulting from hail or the elements;

(e) insurance against loss or damage by water to any goods or premises arising from the breakage or leakage of sprinklers, pumps, or other apparatus;

(f) insurance against loss or legal liability for loss because of damage to property caused by the use of teams or vehicles, whether by accident or collision or by explosion of any engine, tank, boiler, pipe, or tire of any vehicle; and

(g) insurance against theft of the whole or any part of any vehicle."

16. Amend page 65, section 41, line 2.

Following: "(1 1/2)"

Strike: "4.5"

Insert: "7.5"

17. Amend page 87, section 49, line 6.

Following: "revenue(,)"

Strike: "or its agent"

18. Amend page 87, section 49, line 7.

Following: "(is)"

Insert: "which it is"

Following: "(assess)"

Insert: "to assess centrally"

19. Amend page 92, section 52, line 25 through line 15 on page 93.

Following: "shall"

Strike: the remainder of line 25 and through line 15 on page 93 in their entirety

Insert: "centrally assess the properties described in 84-7801."

20. Amend page 93, section 52, line 16 through line 3 on page 94.

Following: "department"

Strike: the remainder of line 16 and line 17 through line 3, page 94 in their entirety

Insert: "may adopt rules necessary for the taxation of property under chapters 8, 9, 13, 54, 62, 64, and 78."

21. Amend page 95, section 52, line 15.

Following: "department"

Strike: "may"

Insert: "shall"

22. Amend page 95, section 52, line 19.

Following: "department"

Strike: "shall"

Insert: "may"

23. Amend page 96, section 52, line 4.

Following: "department"

Strike: "shall"

Insert: "may"

24. Amend page 96, section 52, line 21.

Following: "department"

Strike: "may"

Insert: "shall"

25. Amend page 99, section 52, line 7.

Following: "department"

Strike: "may"

Insert: "shall"

26. Amend page 100, section 52, line 14.

Following: "(shall)"

Strike: "need not be (payable) paid"

Insert: "is not payable"

27. Amend page 101, section 54, line 20.

Following: line 19

Strike: "and upon the"

Insert: "and such"

28. Amend page 108, section 59, line 8.

Following: "((2))"

Strike: "6"

Insert: "10"

29. Amend page 108, section 59, line 9.

Following: "((3))"



Strike: "9"  
 Insert: "15"

30. Amend page 108, section 59, line 16.  
 Following: "((3))"  
 Strike: "9"  
 Insert: "15"

31. Amend page 109, section 59.  
 Following: line 8

Insert: "Section 60. Instructions to code commissioner and publisher.  
 In preparing a composite section of section 84-5211, as amended by  
 this act and by chapter 120, Laws of 1977, the code commissioner  
 and the publisher of the Revised Codes of Montana, 1947, shall  
 indicate the authority granted by chapter 120 as authority to levy  
 an additional 5 mills on the taxable value of all livestock."

Renumber: subsequent sections

32. Amend page 110, section 60, line 3.  
 Following: "((1 ½))"  
 Strike: "4.5"  
 Insert: "7.5"

33. Amend page 110, section 60, line 5.  
 Following: line 4  
 Strike: "((()1()) mill"  
 Insert: "5 mills"

34. Amend page 111, section 61, line 17.  
 Following: "(10)"  
 Strike: "30"  
 Insert: "50"

35. Amend page 116, section 68, lines 16 through line 13 on page 117.

Following: line 15  
 Strike: section 68 in its entirety  
 Renumber: subsequent sections

36. Amend page 123.  
 Following: line 17

Insert: "Section 71. There is a new R.C.M. section numbered 84-309  
 that reads as follows:

84-309. Reappraised real property — limitation on increased  
 appraisals — table of taxable percentages.

(1) The director of revenue shall certify to the governor, before  
 June 30, 1978, the percentage by which the market value of all  
 property in the state classified under sections 84-301.12,  
 84-301.16(1)(b), and 84-301.19(1)(a) as of January 1, 1977, has  
 increased due to the revaluation conducted under 84-429.14. This  
 figure is the 'certified statewide percentage increase.

(2) The taxable value of property in these three classes is deter-  
 mined as a function of the certified statewide percentage increase  
 in accordance with the following table:

Certified statewide percentage increase	84-301.12	84-301.16 (1) (b)	84-301.19 (1) (a)
0			
1%	11.89	one-half	7/30
2%	11.79	of the	of the

3%	11.69	equiva-	equiva-
4%	11.58	lent	lent
5%	11.49	taxable	taxable
6%	11.39	percent-	percent-
7%	11.29	age under	age under
8%	11.20	84-301.12	84-301.12
9%	11.11		
10%	11.02		
11%	10.93		
12%	10.84		
13%	10.76		
14%	10.67		
15%	10.59		
16%	10.51		
17%	10.43		
18%	10.35		
19%	10.28		
20%	10.20		
21%	10.13		
22%	10.05		
23%	9.98		
24%	9.91		
25%	9.84		
26%	9.77		
27%	9.70		
28%	9.64		
29%	9.57		
30%	9.51		
31%	9.44		
32%	9.38		
33%	9.32		
34%	9.26		
35%	9.20		
36%	9.14		
37%	9.08		
38%	9.03		
39%	8.97		
40%	8.91		
41%	8.86		
42%	8.81		
43%	8.75		
44%	8.70		
45%	8.65		
46%	8.60		
47%	8.55		
48%	8.50		
49%	8.45		
50%	8.40		

Section 72. There is a new R.C.M. section that reads as follows:

Temporary authority to exceed mill levy limitations in certain cases. Taxing jurisdictions may adopt and levy for a budget equal to 105% of the preceding year's budget, statutory mill levy limitations notwithstanding, unless the taxable valuation therein has increased to a level which would allow statutory mill levies to produce a budget equal to 105% of the preceding year's budget."

Renumber: subsequent section

37. Amend page 123, section 71, line 19.

Following: line 18

Insert: "and"

Following: "84-302,"

Strike: "84-304, 84-305, 84-307, and 84-308,"

38. Amend page 123, section 71, line 20.

Following: "repealed."

Insert: "However, amendments to 84-301 or 84-302, R.C.M. 1947, enacted by this legislative session shall be incorporated into the equivalent sections enacted in this act as directed by such other amendatory acts."

(Material in parentheses denotes cancelled type.)

And that the Conference Committee Report on House Bill No. 70 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

HUENNEKENS  
WILLIAMS  
FABREGA

MATHERS  
GOODOVER  
FASBENDER

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/19/77

Bills concurred in as amended by the Senate and returned to the House for concurrence in Senate Amendments:

House Bill No. 630, introduced by Fagg, Vincent, et al

House Bill No. 834, introduced by South, Driscoll, et al

4/19/77

Bill, on 4/18/77, concurred in as amended by the Senate and returned to the House for concurrence in Senate Amendments:

House Bill No. 826, introduced by Meloy, Marks, et al

### MOTIONS

Huennekens moved that the rules be suspended and that HB 842 be rereferred from the Committee on Appropriations to Second Reading today. Motion carried.

### FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced read first time and referred to committee:

HB 842, introduced by Driscoll. Referred to Committee on Appropriations.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SJR 15 be concurred in. (75-0)

That HB 842 be amended as follows:

1. Amend page 1.

Following: line 14

Insert: "Section 2. Revenue oversight. No more than \$30,000 of this appropriation may be used over the biennium to fund the activities of the Legislative Revenue Oversight Committee." (74-6)

And as amended, do pass. (49-33)

That the Conference Committee Report on HB 29 be adopted. (50-43)

That the Conference Committee Report on HB 701 be adopted. (73-7)

That the Conference Committee Report on SB 37 be adopted. (59-22)

That the Conference Committee Report on SB 192 be adopted. (83-1)

That the Conference Committee Report on HB 70 be passed to the bottom of the board.

That the Governor's Amendments to SB 44 be passed to the bottom of the board.

That SA to HB 630 be concurred in. (53-36)

That SA to HB 826 be passed to the bottom of the board.

That SA to HB 834 be concurred in. (76-1)

That the Conference Committee Report on HB 70 be adopted. (58-27)

That the Governor's Amendments to SB 44 be concurred in. (83-3)

That SA to HB 826 be concurred in. (87-3)

That SA to HB 357 be concurred in. (87-1)

That the committee rise and report and beg leave to sit again. (Ramirez, Chairman) Report adopted.

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/19/77

Will be signed by the Speaker at 2:30 p.m., 4/19/77 - SB 413, SJR 42, SJR 49, SJR 130, SJR 166, SJR 324, SJR 450, HB 85, HB 261, HB 292, HB 302, HB 365, HB 498, HB 650, HB 818, HJR 97.

Were signed by the Speaker at 11:30 a.m., 4/19/77 - HB 160, HB 215, HB 502, HB 567, HB 649, HB 728, HB 772, HB 832, HB 835, HJR 98, HJR 99, HJR 100, HR 5.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 3:45 p.m., 4/19/77 - HB 90, HB 141, HB 148, HB 150, HB 160, HB 169, HB 182, HB 215, HB 245, HB 250, HB 295, HB 298, HB 299, HB 301, HB 334, HB 355, HB 370, HB 378, HB 411, HB 491, HB 502, HB 649, HB 728, HB 772, HB 832, HB 835.



Examined by Sponsors and found to be correct - HB 261, HB 650.

## REPORTS OF SELECT COMMITTEES

### FREE JOINT CONFERENCE COMMITTEE ON HOUSE BILL NO. 145 Report No. 2, April 19, 1977

Mr. President and Speaker of the House:

We, your free Joint Conference Committee on House Bill No. 145 met April 19, 1977, and considered:

Senate Committee on Finance and Claims amendments dated April 12, 1977, and

Senate Committee of the Whole amendments dated April 14, 1977, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims amendments dated April 12, 1977, and Senate Committee of the Whole amendments dated April 14, 1977,

That the House accede to all amendments,

And further that House Bill No. 145 (orange reference copy) be amended as follows:

1. Amend page 8, section 17, lines 5 and 6.

Following: "trip"

Strike: ", cost, and the benefit to the department or agency"

Insert: "and cost"

2. Amend page 10, section 17, line 10.

Following: line 9

Strike: all of line 10

Insert: (in general fund columns)

"938,414" "896,720"

3. Amend page 10, section 17, line 18.

Following: line 17

Insert: "Expenditures for legislator travel to meetings of the national conference of state legislatures shall not exceed \$10,000 per fiscal year."

4. Amend page 11, section 17, lines 1 and 2.

Strike: all of lines 1 and 2

Insert (in general fund columns):

"142,581" "156,854"

5. Amend page 11, section 17, line 5.

Strike: "The appropriation made from other"

Insert: "Other"

6. Amend page 11, section 17, line 9.

Following: line 8

Strike: all of line 9

Insert: "560,498" "19,600" "619,087"

7. Amend page 11, section 17, line 15.

Following: line 14

Strike: all of line 15

Insert: "1,175,688" "18,000" "1,181,194"

8. Amend page 11, section 17, line 17.

Following: line 16

Strike: all of line 17

Insert: "\$1,956,983" "\$56,100" "\$2,051,397"

9. Amend page 11, section 17, line 20.

Following: line 19

Strike: all of line 20

Insert (in general fund columns):

"601,933" "612,396"

10. Amend page 12, section 17, line 2.

Following: line 1

Strike: line 2

Insert (appropriation in general fund columns):

"Treaty review and research	20,000	20,000
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Jurisdictional litigation	110,000	110,000
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Legislative oversight by 4 members of the senate, and 4 members of the house, equally bipartisan, to also hold a public hearing on each reservation, suggest alternative solutions, identify common bonds between Indian and non-Indian, and propose legislation for the next session.

20,000

20,000

Total Legal Jurisdiction

Project

150,000

150,000"

11. Amend page 12, section 17, line 5.

Following: line 4

Strike: all of line 5

Insert (in general fund columns):

"239,522" "243,483"

12. Amend page 12, section 17, line 12.

Following: line 11

Insert (appropriation in general fund columns):

"Board of Visitors" "38,912" "38,126"

"The appropriation for the board of visitors shall not be used for hiring or contracting out-of-state consultants."

13. Amend page 12, section 17, line 19.

Following: line 18

Strike: all of line 19

Insert (in general fund columns):

"\$1,895,219" "1,920,912"

14. Amend page 13, section 17, line 11.

Following: line 10

Strike: all of line 11

Insert (in general fund columns):

"372,699" "378,496"

15. Amend page 13, section 17, lines 12 through 15.

Following: line 11

Strike: all of lines 12 through 15

16. Amend page 14, section 17, line 13.

Following: line 12

Strike: all of line 13

Insert (in general fund columns):

"\$536,492" "537,670"

17. Amend page 14, section 17, line 15.

Following: line 14

Strike: "1,007,567" "1,002,664"

Insert: "1,012,337" "1,007,434"

18. Amend page 14, section 17, line 18.

Following: "11-2030,"

Strike: "are"

Insert: "is"

19. Amend page 14, section 17, line 23.

Following: line 22

Strike: all of line 23

Insert:

"4,334,143" "5,516,161" "4,884,565" "5,389,363"

20. Amend page 14, section 17, line 25.

Following: line 24

Strike: all of line 25

Insert (in general fund columns):

"450,220" "450,220"

21. Amend page 15, section 17, lines 4 through 6.

Following: line 3

Strike: all of lines 4 through 6

Insert:

"4,980,248" "6,306,199" "5,540,536" "6,208,542"

22. Amend page 15, section 17, line 12.

Strike: "7,170,684"

Insert: "7,370,684"

23. Amend page 15, section 17, line 25.

Following: line 24

Insert: "The county prosecution services program provided for in the above appropriation is terminated as of June 30, 1979."

24. Amend page 17, section 17, line 24.

Following: line 23

Strike: all of line 24

Insert (in other appropriated funds):

"152,531" "154,906"

25. Amend page 18, section 17, line 2.

Following: line 1

Strike: "\$12,244,960" "\$12,925,108"

Insert: "\$12,255,560" "\$12,935,708"

26. Amend page 18, section 17, line 3.

Following: line 2

Insert: "The department of administration is authorized to establish a Self-Insurance Account in the amount of \$2,500,000 to be used only for the state to self-insure any property or liability peril determined necessary by the department. The department is authorized to loan \$2,500,000 from account 03766 in the sinking fund which is reserved for early retirement of bonds to establish the Self-Insurance Account. The loan shall be repaid from appropriations provided for insurance costs. The department shall make quarterly reports to the budget director and the legislative finance committee on the status of the self-insurance program."

27. Amend page 19, section 17, line 22.

Following: "The"

Strike: "appropriation made"

Insert: "moneys appropriated"

28. Amend page 20, section 17, line 13.

Following: line 12

Strike: all of line 13

Insert:

"\$28,048,932" "\$158,694,947" "\$28,388,571" "\$155,516,815"

29. Amend page 20, section 17, line 21.

Following: line 20

Strike: all of line 21

Insert:

"830,759" "311,718" "865,387" "308,208"

30. Amend page 20, section 17, line 24.

Following: line 23

Strike: all of line 24

Insert:

"1,405,748" "8,949,634" "1,412,256" "10,099,469"

31. Amend page 21, section 17, line 5.

Following: "charges."

Insert: "Such authorization is subject to certification by the budget director that such purchase is feasible without general fund support on the basis of life-cycle costing."

32. Amend page 21, section 17, line 7.

Following: "contains in fiscal"

Strike: "19878"

Insert: "1978"

33. Amend page 21, section 17, line 7.

Following: "(\$217,077)"

Strike: "\$42,077"

Insert: "\$217,077"

34. Amend page 21, section 17, line 8.

Following: "(\$217,327)"

Strike: "\$42,327"

Insert: "\$217,327"

35. Amend page 21, section 17, line 18.

Following: line 17

Insert: "The appropriation of funds derived from 84-1847 includes \$100,000 per year for a driver improvement program. State financial support of the program shall terminate on June 30, 1979."

36. Amend page 21, section 17, line 18.

Following: line 17

Insert: "The appropriation to the coal board for grants may be spent only upon notification to the budget director and the legislative finance committee of any proposed grant. Such notification shall be made at least four weeks prior to approval of a grant."

A grant may be made only upon certification to the coal board by the reclamation division of the department of state lands that significant development will affect the area in which the grant is to be spent."

37. Amend page 22, section 17, line 18.

Strike: "767,381" "782,126"



Insert: "804,481" "819,226"

38. Amend page 22, section 17, line 22.

Following: line 21

Strike: all of line 22

Insert:

"7,292,295" "38,214,025" "7,399,153" "39,851,390"

39. Amend page 23, section 17, line 11.

Strike:

"715,574" "1,199,516" "729,622" "1,209,157"

Insert:

"725,484" "1,372,215" "739,760" "1,396,230"

40. Amend page 24, section 17, line 5.

Following: line 4

Insert: "The appropriation from other funds to the parks and recreation program includes coal tax moneys in the park acquisition fund for this biennium only. The department may not propose any expenditure for operation and maintenance from this fund, other than as is authorized under Senate Bill 44, in its budget request to the next legislature."

41. Amend page 24, section 17, line 8.

Following: line 7

Strike: all of line 8

Insert:

"1,091,995" "541,875" "1,099,682" "491,837"

"The appropriation to the department of state lands contains sufficient funds to complete the study of saline seep and to publish and disseminate the findings of the study. This project shall be terminated by June 30, 1979.

The appropriation of other funds includes \$15,000 per year from interest on the resource indemnity trust fund."

42. Amend page 26, section 17, lines 10 through 13.

Following: "City."

Strike: the remainder of line 10 and all of lines 11 through 13

43. Amend page 32, section 17, line 3.

Following: line 2

Strike: all of line 3

Insert:

"37,326,528" "38,276,870" "41,269,597" "38,902,205"

44. Amend page 32, section 17, lines 12 and 13.

Following: line 11

Strike: all of lines 12 and 13

Insert:

"5,533,985" "2,648,132" "6,569,633" "2,449,351"

45. Amend page 32, section 17, lines 19 and 20.

Following: line 18

Strike: all of lines 19 and 20

Insert:

"5,555,685" "2,648,132" "6,591,333" "2,449,351"

46. Amend page 34, section 17, line 3.

Strike: "7,156,233"

Insert: "7,050,233"

"The agency is authorized to carry \$106,000 of the fiscal 1976 general fund appropriation into fiscal 1978."

47. Amend page 35, section 17, line 3.

Strike: "1,296,003"

Insert: "1,341,003"

48. Amend page 37, section 17, line 19.

Following: line 18

Strike: all of line 19

Insert:

"37,063,449" "6,591,985" "38,859,015" "6,269,168"

49. Amend page 38, section 17, line 12.

Following: line 11

Strike: "1,238,522" "1,297,969"

Insert: "1,246,472" "1,305,919"

50. Amend page 39, section 17, line 11.

Following: line 10

Strike: all of line 11

Insert (in general fund columns):

"\$9,027,962" "\$9,422,135"

51. Amend page 39, section 17, lines 21 and 22.

Following: line 20

Strike: "Superintendent of Public Instruction"

Insert: "Public School Support"

52. Amend page 40, section 17, lines 2 and 3.

Following: "Total"

Strike: "Superintendent of Public Instruction"

Insert: "Public School Support"

53. Amend page 41, section 17, line 3.

Following: "of the"

Insert: "amount"

54. Amend page 42, section 17, line 17.

Following: line 16

Strike: all of line 17

Insert (in general fund columns):

"46,002,737" "49,279,368"

55. Amend page 43, section 17, line 9.

Following: line 8

Insert: "Included within other appropriated funds to the six institutions is the sum of \$18,674,161 from revenues generated under the provisions of 84-3804. In the amount such revenues are less than \$18,674,161, the appropriation made to millage contingency may be spent."

56. Amend page 45, section 17, line 3.

Following: line 2

Insert (appropriation in general fund for fiscal 1978):

"(8) Millage Contingency 200,000"

57. Amend page 45, section 17, line 10.

Strike: "\$3,205,974"

Insert: "\$3,405,974"

58. Amend page 52, section 17, line 14.

Following: line 13

Strike: "\$43,114,138"

Insert: "\$43,314,138"

59. Amend page 52, section 17, line 19.

Following: line 18

Strike: all of line 19

Insert:

"199,048,079" "287,623,131" "210,247,989" "287,717,667"

And that the Conference Committee Report on House Bill No. 145 be adopted.

(Material in parentheses denotes cancelled type.)

FOR THE SENATE:

FOR THE HOUSE:

THIESSEN, Chairman

BARDANOUE, Chairman

FLYNN

BRADLEY

HIMSL

LUND

REAGAN

LYNCH

ROBERTS

SOUTH

STEPHENS

Report adopted.

# FREE JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 521

Report No. 2, April 19, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 521, met April 19, 1977, and considered:

Senate Committee of the Whole Amendments dated April 12, 1977, and recommend as follows:

Having had under consideration Senate Committee of the Whole Amendments dated April 12, 1977,

That the House accede to amendment numbers 1, 2, and 3,

And that the Conference Committee Report on House Bill No. 521 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

BRADLEY

DUNKLE

GERKE

WATT

STORY

Report adopted.

# FREE JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 737

Report No. 1, April 19, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 737, met April 19, 1977, and considered:

Senate Committee on Taxation Amendments dated April 14, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 14, 1977,

That the Senate recede from amendment numbers 2 and 5, reading as follows:

2. Amend page 10, section 1, line 9.

Following: "person"

Strike: "60"

Insert: "62"

5. Amend page 12, line 11.

Following: line 11

Insert: "Section 3. If House Bill 70 is enacted into law, then in lieu of sections 1 and 2 of this act, there is a new R.C.M. section that reads as follows:

Class of property — certain recreational vehicles. (1) There is a class of property which includes a pickup camper, travel trailer, including a fifth wheel trailer or motor home which is owned by and is actually used primarily by a person 62 years of age or older who is retired from full employment and whose total income each year from all sources does not exceed the income limitations set in class fifteen of this section for a single person or married couple, whichever is applicable.

(2) A person who applies for this classification must file an affidavit with the department of revenue as to his income, as set forth in class fifteen herein.

(3) This class of property is taxed at 7% of market value."

And further that the House accede to amendment numbers 1, 3, and 4,

And further that House Bill No. 737, third reading bill, be amended as follows:

5. Amend page 12.

Following: line 11

Insert: "Section 3. If House Bill 70 is enacted into law, then in lieu of sections 1 and 2 of this act, there is a new R.C.M. section that reads as follows:

Class of property — certain recreational vehicles. (1) There is a class of property which includes a pickup camper, travel trailer, including a fifth wheel trailer or motor home which is owned by and is actually used primarily by a person 60 years of age or older who is retired from full employment and whose total income each year from all sources does not exceed the income limitations set in class fifteen of this section for a single person or married couple, whichever is applicable.

(2) A person who applies for this classification must file an affidavit with the department of revenue as to his income, as set forth in class fifteen herein.

(3) This class of property is taxed at 6% of market value."

And that the Conference Committee Report on House Bill No. 737 be adopted.

FOR THE HOUSE:

HUENNEKENS

VINCENT

FAGG

Report adopted.

FOR THE SENATE:

WATT

BROWN

GOODOVER



**MESSAGES FROM THE OTHER HOUSE**

4/19/77

Bills and Resolution, on 4/18/77, concurred in by the Senate and returned to the House:

House Bill No. 31, introduced by Bardanouve

House Bill No. 839, introduced by J. Gunderson

House Joint Resolution No. 106, introduced by Marks, Moore, R. Baeth, et al

4/19/77

Bill, on 4/18/77, concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 357, introduced by Quilici, Fabrega, et al

4/19/77

Senate acceded to the request of the House, and the Conference Committee on Senate Amendments to House Bill No. 521 was dissolved, and the President was authorized to appoint the following new Free Conference Committee to confer with a like committee of the House:

Senator Dunkle, Chairman  
Senator Watt  
Senator Story

4/19/77

Senate voted on third reading on the Free Conference Committee Report on House Bill No. 29 with the following roll call vote:

41 AYES      8 NAYS

4/19/77

Senate adopted the following Free Conference Committee Reports on roll call vote:

Free Conference Committee on Senate Bill No. 37

Free Conference Committee on House Bill No. 701

4/19/77

Senate acceded to the request of the House and the President was authorized to appoint the following Conference Committee to meet with a like committee from the House on Senate Amendments to House Bill No. 140:

Senator Healy, Chairman  
Senator Regan  
Senator Nelson

**MOTIONS**

Meloy moved that the Speaker be authorized to appoint a free conference committee of three to meet with a like committee from the Senate on HB 630. Motion carried.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 15 was concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, South, Staigmler, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 80

Noes: Burnett, Ellison, Hurwitz, Kvaalen, Palmer, Smith, Stobie, Underdal, Vinger.

Total 9

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Bardanouve, Brand, Colburn, Fagg, J. Gunderson, Marks, Seifert, Wood.

Total 8

House Bill No. 842 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bradley, Brand, Cooney, Courtney, Dassinger, Day, Dussault, Ellis, Eudaily, Fabrega, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kessler, Kimble, Lien, Lory, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Meyer, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Severson, Sheldon, Sivertsen, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 66

Noes: Bertelsen, Conroy, Cox, Curtiss, Davis, Ellison, Ernst, Fedá, Hurwitz, Jensen, Keyser, Kropp, Kvaalen, McLane, Moore, Roth, Smith, Stobie, Turner, Underdal, Vinger, Wyrick.

Total 22

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Burnett, Colburn, Estenson, Fagg, J. Gunderson, Marks, Seifert, Staigmler, Tower.

Total 9

The Conference Committee Report on House Bill No. 29 was adopted by the following vote:

Ayes: Aageson, R. Baeth, Barrett, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fedá, Gerke, Hand, Hansen, Hirsch, Hurwitz, Jensen, Johnston, Kanduch, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Menahan, Meyer, Mular, Nathe, Pistoria, Porter, Quilici, Ramirez, Roth, Ryan, Scully, Severson, Sivertsen, Smith, Stobie, Teague, Tropila, Turner, Vincent, Vinger, Williams, Wood, Wyrick.

Total 58

Noes: W. Baeth, Bertelsen, Bradley, Brand, Cooney, Courtney, Dussault, Estenson, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Holmes, Huennekens, Kennerly, Kimble, Lynch, Marks, Meloy, Metcalf, Moore, O'Connell, O'Keefe, Palmer, Robbins, Shelden, South, Uhde, Underdal, Waldron, Mr. Speaker.  
Total 35

Paired: Burnett, Colburn, Kenny, Meyer, Sivertsen, Ayes; Bradley, Gunderson, Halvorson, Huennekens, Kennerly, Noes.

Excused: None.

Total 0

Absent or not voting: Bardanouve, Bengtson, Ellerd, Fagg, Seifert, Staigmilller, Tower.

Total 7

The Conference Committee Report on House Bill No. 701 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmilller, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 86

Noes: Burnett, Conroy, Feda, Stobie.

Total 4

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Bardanouve, Bengtson, Colburn, Ellison, J. Gunderson, Johnston, Seifert.

Total 7

The Conference Committee Report on Senate Bill No. 37 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, Staigmilller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Vincent, Waldron, Williams, Wyrick, Mr. Speaker.

Total 85

Noes: Eudaily, Lory, Marks, Underdal, Vinger, Wood.

Total 6

Excused: Ellerd, Halvorson, Kenny.



Total 3

Absent or not voting: Bengtson, Colburn, J. Gunderson, Kennerly, Seifert, South.

Total 6

The Conference Committee Report on Senate Bill No. 192 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Ryan, Scully, Shelden, Sivertsen, Smith, South, Staigmillier, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 90

Noes: Burnett, Roth.

Total 2

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, J. Gunderson, Kennerly, Seifert, Severson.

Total 5

The Conference Committee Report on House Bill No. 70 was adopted by the following vote:

Ayes: Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Conroy, Cox, Dassinger, Day, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Keefe, Palmer, Porter, Quilici, Ramirez, Severson, Shelden, Sivertsen, South, Staigmillier, Stobie, Teague, Tower, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 71

Noes: Aageson, R. Baeth, W. Baeth, Barrett, Burnett, Cooney, Courtney, Curtiss, Dussault, Hansen, Johnston, O'Connell, Pistoria, Robbins, Roth, Ryan, Scully, Smith, Tropila, Turner, Vincent.

Total 21

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, Davis, J. Gunderson, Kennerly, Seifert.

Total 5

Senate Amendments to House Bill No. 834 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra,



Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 87

Noes: Burnett, Conroy.  
Total 2

Excused: Ellerd, Halvorson, Kenny.  
Total 3

Absent or not voting: Bengtson, Colburn, J. Gunderson, Kennerly, Marks, Pistoria, Seifert, Tower.  
Total 8

Senate Amendments to House Bill No. 826 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.  
Total 92

Noes: None.  
Total 0

Excused: Ellerd, Halvorson, Kenny.  
Total 3

Absent or not voting: Bengtson, Colburn, J. Gunderson, Kennerly, Seifert.  
Total 5

Senate Amendments to House Bill No. 357 were concurred in by the following vote:

Ayes: Aageson, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Feda, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Shelden, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.  
Total 88

Noes: Nathe.

Total 1

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: R. Baeth, Colburn, J. Gunderson, Harrington, Kennerly, Meloy, Seifert, Wood.

Total 8

The Governor's Amendments to Senate Bill No. 44 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Severson, Sheldon, Sivertsen, Smith, South, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, J. Gunderson, Kennerly, Seifert.

Total 4

## COMMUNICATIONS AND PETITIONS

4/19/77

Representative John Driscoll, Speaker  
House of Representatives  
Capitol Building  
Helena, Montana 59601

Dear John:

In accord with the provision in SB 44, Section 5, page 9 which continues for the biennium ending June 30, 1979, the Coal Tax Oversight Committee established by Section 15, Chapter 502, Laws of 1975, I hereby select for this committee the following House members:

Representative Lien  
Representative Dassinger  
Representative Severson  
Representative O'Keefe

Yours,

Rep. Herb Huennekens, Chairman  
House Taxation Committee

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/19/77

Correctly enrolled - HB 4, HB 198, HB 282, HB 462, HB 738, HB 773, HB 838, HJR 103, HJR 105.

Were signed by the Speaker at 2:30 p.m., 4/19/77 - SB 413, SJR 49, SJR 130, SJR 166, SJR 324, SJR 450, SJR 42, HB 85, HB 261, HB 292, HB 302, HB 365, HB 498, HB 650, HB 818, HJR 97.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 4:45 p.m., 4/19/77 - HB 85, HB 292, HB 302, HB 365, HB 498, HB 650, HB 818.

Examined by the Sponsors and found to be correct - HJR 103, HJR 105, HB 4, HB 198, HB 282, HB 462, HB 738, HB 773, HB 838.

## REPORTS OF SELECT COMMITTEES

### FREE CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 762 Report No. 1, April 19, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill 762, met April 14, 1977, and considered:

Senate Committee on Natural Resources Amendments dated April 6, 1977,

Senate Committee of the Whole Amendments dated April 7, 1977, and recommend as follows:

Having had under consideration Senate Committee on Natural Resources Amendments dated April 6, 1977,

That the Senate recede from amendment numbers 2 and (insertion sections 2, 3, and 6 of) 4, reading as follows:

2. Amend title, following line 5.

Insert: "establishing an energy policy committee and an energy emergency advisory council,"

4. (Due to length, amendment number 4 will not be reprinted. The change made will be indicated in conference committee amendments further below).

And further that the House accede to amendment numbers 1 and 3 and (insertion sections 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of) 4.

Having had under consideration Senate Committee of the Whole Amendments dated April 7, 1977,

That the Senate recede from amendments 1 and 2, reading as follows:

1. Amend amendment No. 4, insertion paragraph, section 7, subsection (f).

Following: "committee"

Insert: "and the advisory council"

2. Amend amendment No. 4, insertion paragraph, section 8, subsection (4).

Following: subsection (4)

Insert: "(5) the advice of the committee and the council; and"

Renumber: subsequent subsection

And further that the House accede to amendment numbers 3, 4, 5, and 6,



And further that House Bill 762, third reading bill and Senate Natural Resources Amendment No. 4 dated April 6, 1977, be amended as follows:

1. Amend title.

Following: line 5

Insert: "establishing an energy policy committee;"

2. Amend Senate Natural Resources Committee Amendment No. 4, insertion section 2.

Strike: insertion section 2

Insert: "Section 2. Definitions. As used in this act, the following definitions apply:

(1) 'Energy facility' means a facility which produces, extracts, converts, transports, or stores energy.

(2) 'Energy' means petroleum or other liquid fuels, natural or synthetic fuel gas, or electricity.

(3) 'Person' means an individual, partnership, joint venture, private or public corporation, cooperative, association, firm, public utility, political subdivision, municipal corporation, government agency, joint operating agency, or any other entity, public or private, however organized.

(4) 'Committee' means the energy policy committee established in (Section 3)\*.

(5) 'Distributor' means any person, private corporation, partnership, producer, individual proprietorship, public utility, joint operating agency or cooperative which engages in or is authorized to engage in the activity of generating, producing, transmitting, or distributing energy in this state.

(6) 'Energy emergency' means an existing or imminent domestic, regional or national shortage of energy which will result in a curtailment of essential services or production of essential goods, or the disruption of significant sectors of the economy unless action is taken to conserve or limit the use of the energy form involved, and the allocation of available energy supplies among users.

(7) 'Energy supply alert' means a condition of energy supply on a national, regional, state or local basis which foreseeably will affect significantly the availability of essential energy supplies within the ensuing 90-day period unless action is taken under (Section 9)\* to reduce energy usage by state agencies and political subdivisions."

3. Amend Senate Natural Resources Committee Amendment No. 4, insertion section 3.

Strike: insertion section 3

Insert: "Section 3. Energy policy committee. (1) There is established a legislative energy policy committee which consists of four members. The members shall consist of the president of the senate and the floor leader of the opposite party in the senate and the speaker and minority leader of the house of representatives. Each leadership member shall designate, within 15 days following the close of the 1977 session, an alternate to serve for him when he is unable to attend meetings of the committee."

4. Amend Senate Natural Resources Committee Amendment No. 4, insertion section 6.

Strike: insertion section 6



Insert: "Section 6. Advice of distributors and consumers. The governor shall actively solicit the advice of consumers, through the legislative consumer committee established in 70-703, and of distributors throughout the information gathering, planning, and implementation process described in this act."

5. Amend Senate Natural Resources Committee Amendment No. 4, insertion section 8.

Following: subsection (4)

Insert: "(5) the advice of the committee; and"

Renumber: subsequent subsection

\*(Material in parentheses denotes information bracketed by compiler.)

And that the Free Joint Conference Committee Report on House Bill No. 762 be adopted.

FOR THE HOUSE:

FOR THE SENATE:

BRADLEY  
QUILICI  
NATHE

JERGESON  
BROWN  
ROSKIE

Report adopted.

### MOTIONS

Moore moved that the House reconsider its vote taken on the Conference Committee Report on HB 29 on Third Reading today. Motion carried.

Bardanoue moved that the House reconsider its action taken in passing HB 842 on Third Reading today. Motion carried.

Bardanoue moved that HB 842 be rereferred from Third Reading to the Committee on Appropriations. Motion carried.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Conference Committee Report on House Bill No. 29 was adopted by the following vote:

Ayes: Aageson, R. Baeth, Barrett, Bengtson, Burnett, Colburn, Conroy, Cox, Curtiss, Dassinger, Davis, Day, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fedra, Gerke, Hand, Hansen, Hirsch, Holmes, Hurwitz, Jensen, Johnston, Kenny, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McLane, Manuel, Meyer, Mular, Nathe, Pistoria, Porter, Ramirez, Roth, Scully, Severson, Sivertsen, Smith, Staigmiller, Stobie, Teague, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Williams, Wood, Wyrick.  
Total 60

Noes: W. Baeth, Bardanoue, Bradley, Brand, Cooney, Courtney, Dussault, Estenson, Frates, Gilligan, Gould, E. Gunderson, J. Gunderson, Halvorson, Harper, Harrington, Huennekens, Kanduch, Kennerly, Kimble, Lynch, Marks, Meloy, Menahan, Metcalf, Moore, O'Connell, O'Keefe, Palmer, Robbins, Ryan, Shelden, South, Uhde, Waldron, Mr. Speaker.  
Total 36

Paired: Burnett, Colburn, Ellerd, Kenny, Meyer, Ramirez, Sivertsen, Ayes; Bradley, J. Gunderson, Halvorson, Huennekens, Kennerly, Moore, Shelden, Noes.

Excused: None.

Total 0

Absent or not voting: Bertelsen, Fagg, Quilici, Seifert.

Total 4

### UNFINISHED BUSINESS

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on HB 630: Huennekens, Chairman; Vincent and Fagg.

### MESSAGES FROM THE OTHER HOUSE

4/19/77

Senate refuses to accede to the request of the House to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 630.

4/19/77

Senate adopted the following Conference Committee Reports:

Free Conference Committee on House Bill No. 70

Free Conference Committee on House Bill No. 737

4/19/77

Senate did not adopt the Conference Committee Report on Senate Amendments to House Bill No. 434.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/19/77

Will be signed by the Speaker at 7:30 p.m., 4/19/77 - SB 401, HB 4, HB 198, HB 282, HB 462, HB 504, HB 738, HB 773, HB 838, HJR 103, HJR 105.

Was signed by the Speaker at 11:30 a.m., 4/19/77 - HB 250.

Examined by Sponsors and found to be correct - HB 504, HB 800, HB 816.

APPROPRIATIONS (Bardanouve, Chairman):

4/19/77

HB 842, do pass. Report adopted.

### REPORTS OF SELECT COMMITTEES

#### FREE JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 622

Report No. 1, April 18, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 622 met April 18, 1977, and considered:

Senate Committee on Finance and Claims Amendments dated April 14, 1977, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 14, 1977,

That the Senate recede from all amendments,

And further that House Bill 622, third reading copy, be amended as follows:

1. Amend title, page 1, line 8.

Following: "permanently"

Insert: ", and appropriating monies for such program"

2. Amend page 4, section 6, line 3.

Following: line 3

Insert: "Section 7. Appropriation. For the purposes of this act \$81,189 in fiscal 1978 and \$81,431 in fiscal 1979 is appropriated from the general fund and \$38,492 in fiscal 1978 and \$38,250 in fiscal 1979 is appropriated from other funds."

3. Amend page 4, section 7, line 4.

Following: "Section"

Strike: "7"

Insert: "8"

And that the Conference Committee Report on House Bill No. 622 be adopted.

FOR THE HOUSE:

BRADLEY, Chairman  
PALMER  
MARKS

FOR THE SENATE:

BOYLAN, Chairman  
NELSON

Report adopted.

#### FREE JOINT CONFERENCE COMMITTEE

SENATE BILL NO. 224

Report No. 1, April 19, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill 224, met April 19, 1977, and considered:

House Committee on Natural Resources Amendments dated April 6, 1977, and recommend as follows:

That the Senate accede to amendment numbers 1 and 4,

That the House recede from amendment numbers 2 and 3, which read as follows:

2. Amend page 4, section 2, lines 5 and 6.

Following: "(b)"

Strike: lines 5 and 6 in their entirety

Insert: "Single divisions made for the purpose of transferring title to a member of the grantor's immediate family when the division creates no more than one remaining parcel of less than 20 acres. Only one conveyance of land to each member of the grantor's immediate family is eligible for this exemption within any 5 year period."

3. Amend page 4, section 2, lines 15 and 16.

Following: "(d)"

Strike: lines 15 and 16 in their entirety

Insert: "Single divisions made by a grantor for transfer of title as an occasional sale when the division creates no more than one remaining parcel of less than 20 acres. Where a parcel is created under this exemption or the exemption for transfer of title to a member of the grantor's immediate family, no further division of that parcel created under this exemption may occur for a period of 12 months."

And that the Conference Committee Report on Senate Bill 224, be adopted.

FOR THE SENATE:

STORY  
E. SMITH  
BROWN

FOR THE HOUSE:

HARPER  
SHELDEN  
BERTELSEN

Report adopted.

FREE JOINT CONFERENCE COMMITTEE  
ON SENATE BILL NO. 302  
Report No. 1, April 19, 1977

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill 302, met April 19, 1977, and considered:

House Committee on Natural Resources Amendments (corrected) dated April 6, 1977, and recommend as follows:

That the Senate accede to amendment numbers 1, 2, 3, 4, 5, 6, 8, 9 and 10,

That the House recede from amendment number 7, which reads as follows:

7. Amend page 4, section 1, line 25.

Following: line 25

Insert: "(c) On any action for which an environmental impact statement has been prepared, the lead agency shall make a final decision based only on the specific statutes administered by the agency, the findings and recommendations of the consulted agencies and the policies and goals of the Montana Environmental Policy Act. If the lead agency's final decision on the proposal is in conflict with the recommendations of the consulted agencies, the burden shall be on the lead agency to justify its decision based on some other essential consideration of state policy."

Renumber: subsequent subsections

And that Senate Bill No. 302, third reading bill, be amended as follows:

1. Amend page 4, section 1, line 25.

Following: line 25

Insert: "(c) On any action for which an environmental impact statement has been prepared, the lead agency shall make a final decision based only on the specific statutes administered by the agency, the findings and recommendations of the consulted agencies and the policies and goals of the Montana Environmental Policy Act shall be considered, but shall not expand the specific statutory authority which authorizes the agency to make the final decision. If the lead agency's final decision on the proposal is in conflict with the recommendations of the consulted agencies, the burden shall be on the lead agency to justify its decision based on some other essential consideration of state policy."

Renumber: subsequent subsections

And that the Conference Committee Report on Senate Bill 302 be adopted.



FOR THE SENATE:  
ROSKIE  
E. SMITH

FOR THE HOUSE:  
SCULLY  
FAGG

Report adopted.

### MESSAGES FROM THE OTHER HOUSE

Bill concurred in as amended by the Senate,  
and returned to the House for concurrence  
in Senate Amendments: 4/19/77

House Bill No. 554, introduced by Appropriations Committee

Bill concurred in by the Senate and returned  
to the House: 4/19/77

House Bill No. 799, introduced by Scully, Ellerd

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 145 be adopted.  
(57-41)

That the Conference Committee Report on HB 737 be adopted.  
(77-4)

That the Conference Committee Report on SB 302 be not adopted.  
(55-32)

That the Conference Committee Report on HB 521 be not adopted.  
(58-36)

That the Conference Committee Report on HB 762 be adopted.  
(85-3)

That the Conference Committee Report on HB 622 be adopted.  
(84-4)

That the Conference Committee Report on SB 224 be adopted.  
(69-20)

That HB 842 be amended as follows:

1. Amend title, line 4.

Following: "appropriate"

Strike: "\$100,000"

Insert: "\$60,000"

2. Amend page 1, line 11.

Following: "sum of"

Strike: "\$100,000"

Insert: "\$60,000" (79-4)

And as amended, do pass. (69-12)

That SA to HB 554 be not concurred in. (61-29)

That the committee rise and report and beg leave to sit again. (Ramirez, Chairman) Report adopted.

## COMMUNICATIONS AND PETITIONS

April 19, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

Pursuant to the passage of House Joint Resolution No. 81, and in accordance with the approval and selection of the Study of Water as the number one priority of this interim, I hereby appoint for the committee of Judiciary, Representative John Scully and Representative Jack Ramirez to serve on that Study Committee.

Respectfully yours,

Representative  
John Scully

## REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/19/77

Correctly enrolled - HB 800, HB 816.

Were signed by the Speaker at 7:30 p.m., 4/19/77 - SB 401, HB 4, HB 198, HB 261, HB 282, HB 462, HB 504, HB 738, HB 773, HB 838, HJR 103, HJR 105.

On motion by Meloy, and in accordance with the 24-hour rule, the Adverse Committee Report on HB 841 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Cox, Dassinger, Day, Dussault, Ellison, Estenson, Fabrega, Fagg, Fedas, Frates, Gerke, Gould, Hand, Hansen, Harper, Harrington, Holmes, Huennkens, Hurwitz, Jensen, Kanduch, Kennerly, Kessler, Keyser, Kvaalen, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Meyer, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Shelden, Smith, South, Stobie, Tower, Turner, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 60

Noes: Ageson, Burnett, Conroy, Curtiss, Ernst, Gilligan, E. Gunderson, Hirsch, Johnston, Kimble, Kropp, Lund, McLane, Mular, Nathe, O'Connell, Ryan, Sivertsen, Staigmilller, Teague, Tropila, Uhde, Wood.

Total 23

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Bardanouve, Colburn, Courtney, Davis, Ellis, Eudaily, J. Gunderson, Lien, Metcalf, Moore, O'Keefe, Scully, Seifert, Severson.

Total 14

**MESSAGES FROM THE OTHER HOUSE**

4/19/77

Senate has reconsidered its action on refusal to appoint a Free Conference Committee on House Bill No. 630, and the President was authorized to appoint the following Free Conference Committee to confer with a like committee from the House:

Senator Turnage, Chairman  
Senator Goodover  
Senator Warden

Bills concurred in as amended by the Senate,  
and returned to the House for concurrence  
in Senate Amendments:

4/19/77

House Bill No. 144, introduced by Driscoll, Meloy

House Bill No. 823, introduced by Fabrega, O'Connell, et al

4/19/77

Senate rejected the Free Conference Committee Report on House Bill No. 622.

4/19/77

Senate adopted the following conference committee reports on roll call vote:

Free Conference Committee on House Bill No. 762

Free Conference Committee on House Bill No. 737

Free Conference Committee on House Bill No. 521

Free Conference Committee on House Bill No. 145

Free Conference Committee on Senate Bill No. 224

4/19/77

Senate adopted the Free Conference Committee Report on Senate Bill No. 302 on roll call vote.

**REPORTS OF SELECT COMMITTEES****FREE JOINT CONFERENCE COMMITTEE****ON HOUSE BILL NO. 630****Report No. 2, April 19, 1977**

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 630, met April 19, 1977, and considered:

Senate Committee on Taxation Amendments dated April 16, 1977,

Senate Committee of the Whole Amendments dated April 18, 1977, and recommend as follows:

Having had under consideration Senate Committee on Taxation Amendments dated April 16, 1977,

That the House accede to amendments 1 through 56.

Having had under consideration Senate Committee of the Whole Amendments dated April 18, 1977,

That the House accede to amendment numbers 1 through 5,

And further that House Bill No. 630, third reading bill, be amended as follows:

1. Amend page 10, section 4, line 5.

Following: "Operation."

Insert: "(1) The provisions of this act shall become effective July 1, 1977, in cities of 50,000 persons or over, as shown in the latest national census. Any city by ordinance or initiative may provide that the provisions of this act shall not apply to such city. Should the provisions of this section be waived by the city council any construction started after July 1, 1977, while this act is in force shall receive the benefits established under this act for a period of 10 years."

Renumber: subsequent sections

2. Amend page 26, section 7, lines 21 through line 4 on page 27.

Strike: line 21 on page 26 through line 4 on page 27 in their entirety

And that the Free Joint Conference Committee Report on House Bill No. 630 be adopted.

FOR THE HOUSE:

HUENNEKENS  
VINCENT  
FAGG

FOR THE SENATE:

GOODOVER  
WARDEN

Report adopted.

### COMMUNICATIONS AND PETITIONS

April 19, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

Pursuant to the passage of House Joint Resolution No. 81, and in accordance with the approval and selection of the Study of Water as the number one priority of this interim, I hereby appoint for the Montana Water Subcommittee, Representative Day and Representative Roth to serve on that Study Committee.

Respectfully yours,

Representative  
William Day

### MESSAGES FROM THE GOVERNOR

April 19, 1977

The Honorable John Driscoll  
Speaker of the House of Representatives  
State Capitol  
Helena, Montana 59601

Dear Mr. Speaker:

This is to inform you that I have this day approved House Bill Nos. 55, 147, 164, 177, 197, 239, 247, 251, 280, 318, 320, 330, 352, 356, 389, 407, 487, 493, 512, 560, 565, 585, 587, 589, 634, 638, 647, 658, 659, 718, 719, 760, 787, and 801.



Sincerely,

THOMAS L. JUDGE  
Governor

April 19, 1977

The Honorable Gordon McOmber  
President of the Senate  
State Capitol  
Helena, Montana 59601

Dear President McOmber:

This is to inform you that I have this day approved Senate Bill Nos. 177, 311, and 442.

Sincerely,

THOMAS L. JUDGE,  
Governor

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Conference Committee Report on House Bill No. 145 was adopted by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Brand, Colburn, Cooney, Courtney, Dassinger, Day, Dussault, Fagg, Frates, Gerke, Gilligan, E. Gunderson, J. Gunderson, Halvorson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Johnston, Kanduch, Kennerly, Kenny, Kessler, Kimble, Kvaalen, Lien, Lund, Lynch, Manuel, Meloy, Menahan, Metcalf, Mular, O'Connell, Palmer, Pistoria, Quilici, Robbins, Ryan, Scully, Shelden, South, Staigmiller, Teague, Uhde, Waldron, Williams, Mr. Speaker.  
Total 57

Noes: Aageson, Barrett, Burnett, Conroy, Cox, Curtiss, Davis, Ellerd, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Feda, Gould, Hurwitz, Jensen, Keyser, Kropp, Lory, McLane, Marks, Meyer, Moore, Nathe, Porter, Ramirez, Roth, Seifert, Sivertsen, Smith, Stobie, Tower, Tropila, Turner, Underdal, Vincent, Vinger, Wood, Wyrick.  
Total 41

Paired: Bradley, Colburn, J. Gunderson, Halvorson, Holmes, Kenny, Metcalf, Staigmiller, Ayes; Barrett, Burnett, Ellerd, Fabrega, Keyser, Seifert, Smith, Turner, Noes.

Excused: None.  
Total 0

Absent or not voting: O'Keefe, Severson.  
Total 2

The Conference Committee Report on House Bill No. 737 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson,

Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wyrick, Mr. Speaker.

Total 90

Noes: Nathe.

Total 1

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, J. Gunderson, O'Keefe, Seifert, Severson, Wood.

Total 6

The Conference Committee Report on House Bill No. 762 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Shelden, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Burnett, Conroy, Sivertsen.

Total 3

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, J. Gunderson, O'Keefe, Seifert, Severson.

Total 5

The Conference Committee Report on House Bill No. 622 was adopted by the following vote:

Ayes: Ageson, R. Baeth, W. Baeth, Bardanouve, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedá, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Scully, Shelden, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 89

Noes: Hand, Ryan.

Total 2

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, J. Gunderson, O'Keefe, Seifert, Severson, Sivertsen.

Total 6

The Conference Committee Report on Senate Bill No. 224 was adopted by the following vote:

Ayes: Aageson, Barrett, Bengtson, Bertelsen, Cooney, Courtney, Dassinger, Davis, Day, Dussault, Ellis, Ernst, Estenson, Fabrega, Fagg, Fedra, Frates, Gerke, Gilligan, E. Gunderson, Hand, Harper, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Kanduch, Kennerly, Keyser, Kimble, Kropp, Kvaalen, Lien, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, Pistoria, Porter, Quilici, Ramirez, Robbins, Roth, Ryan, Scully, Sivertsen, Smith, South, Staigmillar, Stobie, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 73

Noes: R. Baeth, W. Baeth, Bardanouve, Bradley, Brand, Burnett, Conroy, Cox, Curtiss, Ellison, Eudaily, Gould, Hansen, Johnston, Kessler, Lory, Palmer, Shelden, Vincent.

Total 19

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, J. Gunderson, O'Keefe, Seifert, Severson.

Total 5

House Bill No. 842 was passed by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bertelsen, Bradley, Brand, Cooney, Courtney, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, Gilligan, Gould, E. Gunderson, Hansen, Harper, Harrington, Hirsch, Holmes, Johnston, Kanduch, Kennerly, Kessler, Kimble, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Moore, Mular, Nathe, O'Connell, Palmer, Pistoria, Porter, Quilici, Ramirez, Robbins, Scully, Shelden, Sivertsen, South, Teague, Tower, Tropila, Turner, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Mr. Speaker.

Total 71

Noes: Barrett, Burnett, Conroy, Cox, Ernst, Fedra, Hand, Hurwitz, Jensen, Keyser, Kropp, Meyer, Roth, Ryan, Smith, Staigmillar, Stobie, Vinger, Wyrick.

Total 19

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Bengtson, Colburn, J. Gunderson, Huennekens, O'Keefe, Seifert, Severson.

Total 7

**MOTIONS**

Burnett moved that SB 74 be rereferred from the Committee on Taxation to Second Reading today. Motion failed.

**COMMUNICATIONS AND PETITIONS**

April 19, 1977

Mrs. Martha McGee  
Chief Clerk  
House of Representatives

Dear Mrs. McGee:

I have this day appointed the following Representatives to serve on the Revenue Oversight Committee:

Mel Williams  
Bob Sivertsen

They will serve with the following Representatives who were appointed by the Taxation Committee Chairman:

Herb Huennekens  
John Vincent  
Jay Fabrega  
Harrison Fagg

Sincerely,

John B. Driscoll  
Speaker of the House

**MOTIONS**

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 554. Motion carried.

Meloy moved that the Subcommittee on Institutions be authorized to continue its advisory oversight functions through the interim. Motion carried.

**UNFINISHED BUSINESS**

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 554: Scully, Chairman; Kanduch and Marks.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 630 be adopted.  
(52-40)



That SA to HB 144 be placed below Senate Amendments to HB 823.

That SA to HB 823 be not concurred in. (86-4)

That SA to HB 144 be not concurred in. (89-1)

That the committee rise and report and beg leave to sit again. (Ramirez, Chairman) Report adopted.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/19/77

Were signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 9:25 p.m., 4/19/77  
- HB 4, HB 198, HB 261, HB 282, HB 462, HB 504, HB 738, HB 773, HB 800, HB 816, HB 838.

### MESSAGES FROM THE OTHER HOUSE

4/19/77

House Amendments to Senate Bill No. 167, introduced by Rasmussen, Hager, et al, were concurred in by the Senate on third reading.

4/19/77

Senate rejected the Free Conference Committee Report on House Bill No. 630 on roll call vote.

### MOTIONS

Meloy moved that the Speaker be authorized to appoint free conference committees of three to meet with like committees from the Senate on HB 823 and HB 144. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following free conference committees of three to meet with like committees from the Senate on the following:

HB 823: South, Chairman; Scully and Fabrega

HB 144: South, Chairman; Scully and Fabrega

### MOTIONS

Keyser moved that SB 74 be rereferred from the Committee on Taxation to Second Reading today. As a substitute motion for all motions pending Fagg moved that the House reconsider its action in failing to concur in Senate Amendments to HB 630 on Second Reading. Motion carried.

House recessed at 10:00 p.m.

House resumed at 10:45 p.m.

Mr. Speaker in the Chair.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/19/77

Will be signed by the Speaker at 9:00 p.m., 4/19/77 - HB 242, HB 800, HB 816, HB 828, HJR 106, SB 306, SB 445, SJR 39, SJR 48.

Were signed by the Speaker at 9:00 p.m., 4/19/77 - HB 242, HB 800, HB 816, HB 828, HJR 106, SB 306, SB 445, SJR 39, SJR 48.

Examined by Sponsors and found to be correct - HB 242, HB 828, HJR 106.

Correctly enrolled - HB 31, HB 242, HB 263, HB 799, HB 826, HB 828, HB 839, HJR 106.

**MESSAGES FROM THE OTHER HOUSE**

Bill concurred in by the Senate and returned  
to the House: 4/19/77

House Bill No. 79, introduced by Scully, Vincent, Ryan

Bill concurred in as amended by the Senate  
and returned to the House for concurrence  
in Senate Amendments: 4/19/77

House Bill No. 708, introduced by Driscoll, Bengtson

4/19/77  
The Governor's Amendments to House Bill No. 724, introduced by Lynch,  
were concurred in by the Senate on roll call vote.

**MOTIONS**

Meloy moved that a new joint rule be adopted: 6-21.1: For the purpose of the 45th Legislative Assembly, any bill that has passed both houses of the legislature by the 90th day may be enrolled, approved by a sponsor, signed by the presiding officers, and delivered to the governor not later than three days thereafter. The Legislative Council shall certify that any such bill so enrolled, approved by a sponsor, signed by the presiding officers, and delivered to the governor is a true and correct bill passed by both houses of the legislature. Motion carried.

Meloy moved that a new joint rule be adopted: 6-21.2: For the purpose of determining the ending of the 90th Legislative Day of the 45th Legislative Assembly, such day shall not end until adjournment sine die of both houses. Kennerly moved the previous question. Motion carried. Thereupon Meloy's motion failed.

The Speaker gave a verbal command decision to the clerk to accede to the request of the Senate to return HB 823 and HB 144 to the Senate before the letter of communication from the Senate was read to the House and before the motion was duly made and carried.

**MESSAGES FROM THE OTHER HOUSE**

4/19/77  
Senate, on motion, requests the return of the following House Bills for further consideration:

House Bill No. 144, introduced by Driscoll, Meloy

House Bill No. 823, introduced by Fabrega, O'Connell, et al

4/19/77  
Senate has acceded to the request of the House, and the President was authorized to appoint the following Conference Committee on Senate Amendments to House Bill No. 554:

Senator Roberts, Chairman  
Senator Flynn  
Senator Stephens

**MOTIONS**

Meloy moved that a new joint rule be adopted: 6-21.2: A Legislative Day begins on convening of the legislature on that day and ends when the legislature adjourns but not more than 24 hours from the time the legislature convenes on that legislative day. Motion carried.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 630 be concurred in. (61-32)

That SA to HB 708 be concurred in. (76-10)

That the committee rise and report and beg leave to sit again. (Ramirez, Chairman) Report adopted.

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 630 were concurred in by the following vote:

Ayes: R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Bradley, Conroy, Cooney, Courtney, Dassinger, Day, Dussault, Estenson, Eudaily, Fabrega, Fagg, Frates, Gerke, E. Gunderson, Hand, Harper, Harrington, Holmes, Huennekens, Kessler, Kimble, Lory, Lynch, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Porter, Ramirez, Shelden, South, Teague, Tropila, Uhde, Vincent, Waldron, Williams, Mr. Speaker.

Total 51

Noes: Aageson, Barrett, Brand, Burnett, Cox, Curtiss, Davis, Ellis, Ellison, Ernst, Fedas, Gould, Hansen, Hurwitz, Jensen, Johnston, Kanduch, Keyser, Lund, McLane, Pistoria, Robbins, Ryan, Severson, Sivertsen, Smith, Staigmiller, Stobie, Turner, Underdal, Vinger, Wood, Wyrick.

Total 33

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, Gilligan, J. Gunderson, Hirsch, Kennerly, Kropp, Kvaalen, Lien, Quilici, Roth, Scully, Seifert, Tower.

Total 13

Senate Amendments to House Bill No. 708 were concurred in by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Bardanouve, Bengtson, Bertelsen, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Ernst, Estenson, Eudaily, Fabrega, Fagg, Fedas, Frates, Gerke, Gould, E. Gunderson, Hand, Hansen, Harrington, Hirsch, Holmes, Huennekens, Hurwitz, Johnston, Kanduch, Kessler, Keyser, Kimble, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, Mular, Nathe, O'Connell, O'Keefe, Palmer, Pistoria, Porter, Ramirez, Robbins, Roth, Ryan, Severson, Shelden, Sivertsen, South, Teague, Uhde, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 78

Noes: Barrett, Bradley, Curtiss, Harper, Jensen, Smith, Staigmiller, Stobie, Tropila, Turner, Vinger.

Total 11

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Colburn, Gilligan, J. Gunderson, Kennerly, Quilici, Scully, Seifert, Tower.

Total 8

### REPORTS OF STANDING COMMITTEES

Will be signed by the Speaker at 11:25 p.m., 4/19/77 - HB 31, HB 263, HB 799, HB 826, HB 839.

Were signed by the Speaker at 11:25 p.m., 4/19/77 - HB 31, HB 263, HB 799, HB 826, HB 839.

Examined by Sponsors and found to be correct - HB 31, HB 263, HB 799, HB 826, HB 839.

### MESSAGES FROM THE OTHER HOUSE

Bill concurred in by the Senate and returned  
to the House:

4/19/77

House Bill No. 842, introduced by Driscoll

4/19/77

Senate, on roll call vote, concurred in a new joint rule, No. 6-21.2 "A legislative day begins on convening of the legislature that day, and ends when the legislature adjourns, but not more than twenty-four hours from the time the legislature convenes that day".

### MOTIONS

Meloy moved that the possession of HB 823 by the Senate was out of order insofar as the Speaker had returned HB 823 to the Senate before the motion was made to accede to the Senate request, and requested the clerk to so inform the Senate to return HB 823 to the House for further consideration. Motion carried.

Meloy moved that the possession of HB 144 by the Senate was out of order insofar as the Speaker had returned HB 144 to the Senate before the motion was made to accede to the Senate request, and requested the clerk to so inform the Senate to return HB 144 to the House for further consideration. Motion carried.

Marks moved that the House reconsider its action taken on Second Reading in not concurring in the Senate Amendments to HB 554. Motion carried.

Meloy moved that the motion to accede to the request of the Senate to return HB 823 and HB 144 to the Senate be stricken from the journal. Motion carried.

### REPORTS OF SELECT COMMITTEES

#### JOINT CONFERENCE COMMITTEE

#### ON HOUSE BILL NO. 554

Report No. 1, April 19, 1977

Mr. President and Speaker of the House:



We, your Joint Conference Committee on House Bill No. 554 met April 19, 1977, and considered:

Senate Committee on Finance and Claims amendments dated April 19, 1977, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims amendments dated April 19, 1977,

That the Senate recede from amendment number 1, as follows:

1. Amend page 1 and 2, section 1, line 23 through line 1 on page 2.

Following: line 22

Strike: line 23 on page 1 through line 1 on page 2 in their entirety

And that the Conference Committee Report on House Bill No. 554 be adopted.

FOR THE HOUSE:

SCULLY, Chairman  
KANDUCH  
MARKS

FOR THE SENATE:

ROBERTS, Chairman  
STEPHENS  
FLYNN

Report adopted.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 554 be not concurred in. (58-30)

That the committee rise and report and beg leave to sit again. (Ramirez, Chairman) Report adopted.

### MOTIONS

Scully moved that the Speaker be authorized to appoint a new conference committee to meet with a like committee from the Senate on Senate Amendments to HB 554. Motion carried.

Brand moved that the journal reflect that the Secretary of the State Administration Committee be authorized for 2 days of post-session work. Motion carried.

### UNFINISHED BUSINESS

The Speaker appointed the following conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 554: Metcalf, Chairman; Kanduch and Marks.

### REPORTS OF STANDING COMMITTEES

BILLS (Quilici, Chairman):

4/19/77

Will be signed by the Speaker at 12:30 a.m., 4/20/77- SB 80, SB 167, SB 198, SB 399, SJR 50.

Were signed by the Speaker at 12:30 a.m., 4/20/77 - SB 80, SB 167, SB 198, SB 399, SJR 50.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 12:30 a.m., 4/20/77 - HB 31, HB 242, HB 263, HB 799, HB 826, HB 828, HB 839.

### MESSAGES FROM THE OTHER HOUSE

4/19/77

Senate rejected the Conference Committee Report on Senate Amendments to House Bill No. 554.

House recessed at 12:55 a.m.

House resumed at 1:30 a.m.

Mr. Speaker in the Chair.

### MESSAGES FROM THE OTHER HOUSE

4/19/77

Bill on Committee of the Whole in the Senate, recommended that further action be indefinitely postponed, report adopted, and returned to the House:

House Bill No. 823, introduced by Fabrega, O'Connell, et al

4/19/77

Bill concurred in as amended by the Senate, and returned to the House for concurrence in Senate Amendments:

House Bill No. 144, introduced by Driscoll, Meloy

4/19/77

Senate acceded to the request of the House and the President was authorized to appoint the following new Conference Committee to confer with the House on Senate Amendments to House Bill No. 554:

Senator Roberts, Chairman  
Senator Flynn  
Senator Stephens

### REPORTS OF SELECT COMMITTEES

#### JOINT CONFERENCE COMMITTEE

ON HOUSE BILL NO. 554

Report No. 2, April 19, 1977

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Bill No. 554 met April 19, 1977, and considered:

Senate Committee on Finance and Claims amendments dated April 19, 1977, and recommend as follows:

Having had under consideration Senate Committee on Finance and Claims Amendments dated April 19, 1977,

That the Senate recede from amendment number 1, as follows:

1. Amend pages 1 and 2, section 1, line 23 through line 1 on page

2.

Following: line 22

Strike: line 23 on page 1 through line 1 on page 2 in their entirety

And that the Conference Committee Report on House Bill No. 554 be adopted.

FOR THE HOUSE:

METCALF, Chairman  
KANDUCH  
MARKS

FOR THE SENATE:

ROBERTS, Chairman  
STEPHENS  
FLYNN

Report adopted.

### SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on HB 554 be adopted. (67-17)

That the committee rise and report and beg leave to sit again. (Ramirez, Chairman) Report adopted.

### MESSAGES FROM THE OTHER HOUSE

4/19/77

Senate adopted the Conference Committee Report No. 2 on Senate Amendments to House Bill No. 554 on roll call vote.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Conference Committee Report on House Bill No. 554 was adopted by the following vote:

Ayes: Aageson, R. Baeth, W. Baeth, Barrett, Bengtson, Bertelsen, Bradley, Brand, Burnett, Conroy, Cooney, Courtney, Cox, Curtiss, Dassinger, Davis, Day, Dussault, Ellis, Ellison, Estenson, Eudaily, Fabrega, Fagg, Frates, Gilligan, Gould, E. Gunderson, Hand, Hansen, Harper, Harrington, Holmes, Huennekens, Hurwitz, Jensen, Johnston, Kanduch, Kennerly, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, Lynch, McLane, Manuel, Marks, Meloy, Menahan, Metcalf, Meyer, Moore, O'Keefe, Pistoria, Porter, Ramirez, Robbins, Ryan, Scully, Severson, Sivertsen, Staigmiller, Stobie, Tower, Uhde, Underdal, Vincent, Vinger, Waldron, Williams, Wood, Wyrick, Mr. Speaker.

Total 76

Noes: Ernst, Gerke, Hirsch, Mular, Nathe, South, Tropila.

Total 7

Excused: Ellerd, Halvorson, Kenny.

Total 3

Absent or not voting: Bardanouve, Colburn, Fedra, J. Gunderson, Kimble, O'Connell, Palmer, Quilici, Roth, Seifert, Shelden, Smith, Teague, Turner.

Total 14

## **SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)**

Meloy moved that the House be permitted to sit again as a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting. Motion carried.

Ramirez in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That SA to HB 144 be not concurred in. (80-2)

That the committee rise and report and beg leave to sit again. (Ramirez, Chairman) Report adopted.

## **MOTIONS**

Meloy moved that the Speaker be authorized to appoint a conference committee of three to meet with a like committee from the Senate on Senate Amendments to HB 144. Motion carried.

## **UNFINISHED BUSINESS**

The Speaker appointed the following free conference committee of three to meet with a like committee from the Senate on HB 144: Driscoll, Chairman; Meloy and Marks.

## **MESSAGES FROM THE OTHER HOUSE**

4/19/77

Senate refuses to accede to the request of the House for a Free Conference Committee on House Bill No. 144.

## **MOTIONS**

Meloy moved that House Bill 144 be referred from the conference committee, sent to Enrolling, and referred to the Speaker for his signature. As a substitute motion Uhde moved that the House postpone further action on House Bill 144 until satisfactory action is taken by the Senate. Uhde's motion carried.

Gerke moved that the House adjourn sine die.

As a substitute motion Meloy moved that the Speaker appoint a 4-member committee to inform the Senate that the House is prepared to adjourn sine die and a 4-member committee to inform the Governor that the House is prepared to adjourn sine die.

As a substitute motion for all motions pending, Bardanouve moved that the House reconsider its action taken in adopting Representative Uhde's motion regarding HB 144. Lund moved the previous question. Motion carried. Thereupon Bardanouve's motion carried.

Meloy moved that the Speaker appoint a 4-member committee to inform the Senate that the House is prepared to adjourn sine die and a 4-member committee to inform the Governor that the House is prepared to adjourn sine die.

As a substitute motion, Marks moved that HB 144 be referred from the Conference Committee to Enrolling. Motion carried.



Stobie moved that the Speaker reconsider his appointments to the Western States Task Force to be bipartisan in conformance with HB 145. Motion carried.

Meloy moved that the Speaker appoint a 4-member committee to inform the Senate that the House is prepared to adjourn sine die and a 4-member committee to inform the Governor that the House is prepared to adjourn sine die.

The Speaker appointed the following committee to inform the Senate that the House is prepared to adjourn sine die: Fagg, Estenson, Dussault and Fabrega.

The Speaker appointed the following committee to inform the Governor that the House is prepared to adjourn sine die: Cox, McLane, Kanduch and Ryan.

### REPORTS OF SELECT COMMITTEES

A committee from the Senate comprised of Senators Thiessen, Blaylock, Himsl and Galt informed the House that the Senate was ready to adjourn sine die and they wished the House safe voyages home.

The appointed committee reported to the House that they had informed the Senate that the House is ready to adjourn sine die. They were thanked for their performance and discharged.

The appointed committee reported to the House that they had informed the Governor that the House is ready to adjourn sine die. The Governor wished the House well and thanked them for their help and cooperation during the session. The committee was thanked for their performance and discharged.

Meloy moved that the House 45th Legislature adjourn sine die.

Motion carried.

House adjourned at 4:00 a.m.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk



## APPENDIX TO NINETIETH LEGISLATIVE DAY

In accordance with joint rule 6-21.1, adopted by both houses 4/19/77, the following bill reports are submitted:

April 22, 1977

I, Robert L. Marks, member and immediate past chairman of the Legislative Council, in accordance with Rule 6-21.1 adopted April 19, 1977, by the Joint Rules Committee, do hereby certify that the attached is a full, true, and correct enrolled version of the following House bills as passed by the 45th Legislature: HB 29, HB 70, HB 79, HB 145, HB 357, HB 554, HB 630, HB 701, HB 708, HB 724, HB 737, HB 762, HB 834, HB 842.

Robert L. Marks  
House of Representatives

April 22, 1977

I, Robert L. Marks, member and immediate past chairman of the Legislative Council, in accordance with Rule 6-21.1 adopted April 19, 1977, by the Joint Rules Committee, do hereby certify that the attached is a full, true, and correct enrolled version of HB 144 as passed by the 45th Legislature.

Robert L. Marks  
House of Representatives

A certification from the Senate President, Democratic and Republican Floor Leaders is attached to the original bill as part of the history of HB 144. The certification contains a correction made in the Senate Journal, 90th legislative day; this corrects a clerical error in the last set of Senate Committee of the Whole amendments.

Robert L. Marks  
House of Representatives

4/21/77

Correctly enrolled - HB 29, HB 79, HB 145, HB 357, HB 554, HB 630, HB 701, HB 708, HB 724, HB 737, HB 762, HB 834, HB 842.

4/22/77

Correctly enrolled - HB 70, HB 144.

Examined by Sponsors and found to be correct - HB 29, HB 70, HB 79, HB 144, HB 145, HB 357, HB 554, HB 630, HB 701, HB 708, HB 724, HB 737, HB 762, HB 834, HB 842.

Were signed by the Speaker at 2:00 p.m., 4/22/77 - HB 29, HB 70, HB 79, HB 144, HB 145, HB 357, HB 554, HB 630, HB 701, HB 708, HB 724, HB 737, HB 762, HB 834, HB 842.

Signed by the Speaker of the House and President of the Senate and delivered to the Governor for his approval at 2:00 p.m., 4/22/77 - HB 70, HB 79, HB 144, HB 145, HB 357, HB 554, HB 630, HB 701, HB 708, HB 724, HB 737, HB 762, HB 834, HB 842.

JOHN B. DRISCOLL, Speaker

MARTHA B. McGEE, Chief Clerk







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